To,
The Superintending Engineer,
MSEDCL,
All O&M Circle,

Sub.: Guide Book for procedure to be followed and actions there under by various authorities regarding 'Theft of electricity' under Sec 135 and 'Unauthorised use of electricity' under Sec 126 of Electricity Act 2003.

Ref.: Commercial Circulars on theft issues.

The circulars issued earlier were to overcome various ambiguities, on-site difficulties and addressing various multiple issues in the field. In order to simplify the procedure of detection of 'Theft' or 'Unauthorised use of electricity' and actions to be taken by various authorities involved in the process that follows, necessary guidelines are being circulated.

This guidebook shall serve for on field implementation of correct/desired procedure under section 126 &135 of Electricity Act as the case may be. However for any interpretation issues provision under Electricity Act 2003, MERC Rules and Regulation amended from time to time shall prevail.

This is for your information and further necessary action.

Chief Engineer (Commercial)

Copy s. w. c. to:

1) The Executive Director (Dist. II), MSEDCL, Mumbai.
2) Director (Security & Enforcement), MSEDCL, Mumbai.
3) The Chief Engineer, MSEDCL, All O&M Zone.
Guide Book

(Disclaimer: For any interpretation issues, provision under Electricity Act 2003, MERC Rules and Regulation amended from time to time shall prevail)

Part A

Procedure to be followed and actions thereof by various authorities regarding ‘Theft of electricity’ under Sec 135 and ‘Unauthorised use of electricity’ under Sec 126 of Electricity act 2003.

The circulars issued earlier were to overcome various ambiguities, on-site difficulties and addressing either a single issue or in some case multiple issues. In order to streamline the procedure of detection of ‘Theft’ or ‘Unauthorised use of electricity’ and actions to be taken by various authorities involved in the process that follows, necessary guidelines are being promulgated for compliance hereinafter. This compilation will serve the purpose of guidelines while performing the action as per sec 126, 135 of the Electricity Act 2003.

The relevant extract of the Electricity Act 2003, concerning both the sections is placed at Annexure-1.

1. **Action on receipt of ‘Theft’ or ‘Unauthorised use of electricity’ information:**

All MSEDCL authorities at all levels may receive theft of electricity or unauthorized use of electricity related information either in their personal or official capacity from time to time.

The information received/obtained may be tabulated as follows:-
(a) Web complaints.
(b) Complaints received in writing.
(c) Complaints received through phone/mobile.
(d) Intelligence generated by IT department by consumer data analysis.
(e) Intelligence gathered during field visits of theft prone areas.
(f) Intelligence received from informers / well-wishers of MSEDCL.
(g) Written information by informant claiming monetary rewards.

In order to avoid in action delay, the theft of electricity information should invariably send to the concerned SDO by the fastest possible means such as Email, SMS etc. Upon receipt of the electricity theft or unauthorized use of electricity related information, the concerned officer under whose jurisdiction the
location falls shall act on the same. All Sub-divisions and Flying squads are to maintain a proper record of receipt of electricity theft related information and action taken thereof as per format placed at Annexure-2.

2. **Instructions to Authorised officers in respect of Section 135 of EA 2003.**

(a) **Authority to Inspect.**

The Government of Maharashtra vide Gazette Notification No. EA 2006/C.R 477(2)/HRG-3 and No EA 2006 /C.R 477 (e)/NRG-3 both dated 26th Sept 2006 has authorized under mentioned MSEDCL Officers to exercise powers under clauses (a),(b) and (c) sub-section (2) of said section 135 of EA 2003. Further, MERC vide their order dated 13 Aug 2007 has also specified certain Officers of MSEDCL to exercise the powers under the first proviso of sub section (1A) of section 135 of EA-2003 to disconnect the supply line of electricity within the respective area of supply of electricity upon detection of Electricity Theft. The copies of above quoted authority letters are placed at Annexure-3.

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Officers</th>
<th>Category of electricity consumers</th>
<th>Section under which Exercise powers in respect of EA-2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sub Engineer/Junior Engineer (Section Office)/Jr. Engineer of Special Squad/Assistant Engineer/ Deputy Executive Engineer from O&amp;M of concerned area of MSEDCL/Executive Engineer &amp; Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security)/Executive Engineer from Operation and Maintenance of concerned area of MSEDCL and Deputy Executive Engineer &amp; Junior Engineer Commercial Intelligence units of MSEDCL</td>
<td>Low Tension Consumers</td>
<td>Under section (1A) for <strong>disconnection</strong> and under clauses (a)&amp;(b) sub section (2) of section 135 of EA-2003 for <strong>enter, inspect... search, seize</strong> … etc.</td>
</tr>
<tr>
<td>2</td>
<td>Executive Engineer &amp; Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security)/Executive Engineer/ Superintending Engineer/Chief Engineer from O&amp;M of concerned area of MSEDCL and Deputy Executive Engineer &amp; Junior Engineer Commercial Intelligence units of MSEDCL</td>
<td>High Tension Consumers</td>
<td>Same as above</td>
</tr>
<tr>
<td>3</td>
<td>The Officers not below the rank of Executive Engineer &amp; Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security) &amp; Junior Engineer of special squad and Deputy Executive Engineer &amp; Junior Engineer Commercial Intelligence units of MSEDCL</td>
<td>All category</td>
<td>Under clause (c) subsection (2) of section 135 of EA-2003 to <strong>seize documents</strong></td>
</tr>
</tbody>
</table>

MSEDCL vide Administrative Circular No. 490 dated 01.07.2014 has changed the above mentioned nomenclature as below: Sub Engineer → Junior Engineer; Junior Engineer → Assistant Engineer; Assistant Engineer → Dy. Executive Engineer; Dy. Executive Engineer → Add. Executive Engineer.

For the purpose of execution of powers conferred upon them by GoM under sec 135 of EA 2003, they will be hereinafter termed as **‘Authorised Officers’** and will not only be responsible and accountable to the MSEDCL but also to the GoM for all actions in respect theft of electricity.
(b) **Powers of ‘Authorised Officers’:**

In order to determine and establish occurrence and incidence of dishonest abstraction, consumption or use OR an attempted abstraction for unauthorized use of electricity as per the provisions of sub-section (1) of Sec 135 of EA 2003, the above mentioned officers of MSEDCL have been entrusted to exercise following powers as per section 135 (2) and (3), on behalf of the Government of Maharashtra:

(i) Enter, inspect, break open and search any place or premises in which he has reason to believe that the electricity has been or is being used unauthorisedly.

(ii) Search, seize and remove all such devices, instruments, wires and other facilitator or article which has been or is being used for unauthorized use of electricity.

(iii) Examine or seize any books of accounts or documents which in his opinion shall be useful for or relevant to, any proceedings in respect of the theft of electricity after having allowed the accused to make copies or take extracts of any of the documents so seized.

(iv) No Inspection, search and seizure of any domestic places or domestic premises shall be carried out between Sunset and Sunrise except in presence of an adult male member occupying such premises.

(c) **Determination of Electricity theft:**

All authorized officers must satisfy themselves that there is an incidence of dishonest abstraction, consumption or use OR an attempted abstraction, consumption or use of electricity clearly. Any person, consumer or his representative is said to have abstracted, consumed or used OR has attempted abstraction, attempted consumption or attempted use of electricity dishonestly when he/they attempt or do such an abstraction, consumption or use of electricity;

(i) Which prevents MSEDCL to record and account/bill such electricity that he/they use or consume and there by unauthorisededly or wrongfully gain by doing so.

(ii) Which results in intentional interference with accurate or proper registration, calibration or metering of electric current OR interferes with proper or accurate metering of electricity so used or consumed.

(iii) Wherein he/they use electricity knowingly for the purpose other than for which the usage of electricity was authorized by MSEDCL and there by unauthorisededly or wrongfully gain by doing so.

(d) **Determination of applicability of specific Sub-Sec of Sec 135.**

In order to determine the applicability of appropriate sub-sub section under Sec 135 in electricity theft cases, the following guidelines may be followed:

(i) [135 1 (a)] Whenever a person, consumer or his representative dishonestly taps, makes or causes to be made any connection with overhead, underground or under water lines or cables, or service wires, or service facilities of MSEDCL and abstracts, consumes or uses electricity, sec 135 (1a) of EA 2003 be applied. All hook, service wire tapping and meter bypassing etc. cases fall under this sub section.
(ii) [135(1b)] Whenever a person, consumer or his representative dishonestly abstracts, consumes or uses electricity by tampering a meter, installs or uses a tampered meter, current reversing transformer, loop connection or any other device or method which interferes with accurate and proper registration, calibration or metering of electric current or otherwise, sec 135(1b) of EA 2003 be applied. All cases of electricity thefts involving tampered meters, internal or external loops, use of tampered Potential/Current Transformers (PTs, CTs), use of jammers/remote sensing devices fall under this sub section. Additionally, theft by adopting a method by dishonestly installing a meter not issued, installed or accounted by MSEDCL (fictitious meter) and using or consuming electricity through it.

(iii) [135 (1c)] Whenever a person, consumer or his representative dishonestly damages or destroys an electric meter, apparatus, equipment, or wire or causes or allows any of them to be so damaged or destroyed as to interfere with the proper or accurate metering of electricity that he uses or consumes, sec 135 (1c) of EA 2003 be applied.

There are two provisions under sections 135 as well as 126 which appear to be overlapping. These are discussed as under: -

Section 135 sub-section 1 (d) & (e) are as follows:

(d) Uses electricity through a tampered meter: or

(e) Uses electricity for the purpose other than for which the usage of electricity was authorized.

The provisions of sub-section 126 explanation-b (iii & iv) are as follows: -

(iv) Through a tampered meter; or

(v) For the purpose other than for which the usage of electricity was authorized.

(vi) If a person/ consumer or his representative uses electricity through tampered meter or for the purpose other than for which the usage of electricity was authorized is done dishonestly or intentionally then sec 135 of EA 2003 shall be applied and above mentioned events happens unknowingly then sec 126 of EA 2003 shall be applied. For e.g.

(a) When he uses or consumes electricity though a tampered meter but does so unknowingly i.e. by a tenant or a subsequent owner/consumer where the tampering period exceeds his period of occupation and use of said premises, the case will attract provisions under sub-section 126 explanation-b (iii). However, the entire period of such use through the tampered meter is to be considered as the user or the consumer involved has had the option of getting the meter tested at the time of occupation of such premises.
(b) In an exceptional circumstance, someone other than the consumer or the user maliciously tampers with the consumers or users meter without his knowledge to falsely implicate him and that the consumer/user is not in a position to prevent access to his meter by general public, in such an exceptional case sub-section 126 explanation-b (iii) would be applicable.

(c) As per MERC directives vide MERC tariff order dt 26.06.2005, residential consumers running small business or any activity which technically may be classified as commercial/industrial/Public services etc from part of their residence with consumption less than 300 units per month or 3600 units per annum shall be applied LT-1 (B) tariff(residential).

Even if the consumption is observed to be more than 3600 units per year and the consumer is carrying out such an activity from part of his residence, it is incumbent upon billing authority to re-categories the said consumer under tariff applicable with prior intimation to the consumer. Further, a separate connection for residential use is to be released and in this case neither sec 126 nor sec 135 of EA 2003 are applicable. However, whenever a non-residential activity of any type is observed as a distinct activity with no residence observed or found Sec 135 (1e) will be applicable.

(vii) Whenever a person, consumer or his representative dishonestly and intentionally uses electricity for the purpose other than for which the usage of electricity was authorized by MSEDCL, and there are convincing circumstances to show that it has been done with dishonest intention to abstract electricity to avoid payment of charges as per legitimate tariff, action is to be taken under section-135 (1e) of EA 2003.

(vi) In every case of change of purpose, the authorized officer must obtain sufficient documentary evidence to establish the existing purpose of use of electricity in addition to photographic/video graphic evidence where possible. Till the time the Authorized officer does not conclude occurrence of theft of electricity, due to delay in collection of evidence (meter testing, obtaining of documents/ records), the case may be kept under observation with a specific noting made on the Spot inspection report under remarks column as “Under observation for determination of case under Sec 135 of EA 2003” and declare theft as soon as the requisite procedure is complete. Authorized officer is to endeavor to complete all the procedures within a reasonable time, generally not exceeding 15days.

The Authorized officer may examine the person’s/consumer’s initial application (A1 form) for correctly establishing the change of purpose of use of electricity demanded and sanctioned for and that it differs from the purpose of use of electricity that was found at the time of spot inspection. Further, for ascertaining the period of assessment towards unauthorized use of electricity the Authorized officer may examine the person’s/consumer’s CPL.

(vii) In cases where the dishonesty cannot be established, the use or consumption of electricity through a tampered meter OR for the purpose other than for which the usage of electricity was authorized by MSEDCL, sub-section 126 explanation-b (iii) & (iv) would be applicable.

(viii) If the purpose of use is found changed due to change in tariff order by MERC then the case neither falls under Sec 135 nor under Sec 126 of EA 2003 and should be treated as a plain tariff difference case.
(e) **Assessment of ‘Civil liability’ under Sec 135 of EA 2003.**

The brief guidelines regarding assessment of civil liability are promulgated vide MERC Regulation No. 8.6. These are as under:-

(i) The compensation/Civil liability to be claimed from a consumer involved in theft of energy is to be determined for the entire period for which the dishonest abstraction, consumption or use of electricity can be clearly established, **subject to maximum period of two years** prior to the detection of theft.

(ii) Such dishonest abstraction, consumption or use of electricity, shall be at a **rate equal to one-and-half times the tariff applicable.**

(iii) Where the period of dishonest abstraction, consumption or use of electricity cannot be clearly established, the period of assessment shall be restricted to six months only prior to the date of detection.

(iv) The method of assessment to be followed in respect of electricity charges payable in case of theft of electricity are outlined in **Annexure 4.** Web based theft bill calculator has been specifically designed taking into consideration the above method of theft assessment.

(v) The sum of money payable by the consumer / person towards assessed theft of electricity bill shall be accepted only in the form of ‘Demand Draft’ or ‘Pay Order’ or ‘Cash’ or ‘RTGS’. In no circumstances, such a consumer / person shall be permitted to pay by ‘cheque’.

(f) **Disconnection of supply under Sec 135 of EA 2003.**

The authorized officers, as promulgated by the government, without prejudice to the provisions of Sec. 135 of EA 2003, **may**, upon detection of such theft of electricity, immediately disconnect the supply of electricity. It is reiterated that the disconnection of supply is mandatory in all cases where theft can be clearly established at the time of spot inspection itself for e.g. detection of theft using hook, service wire tapping, destruction of meter and meter bypassing etc. However, when a theft involving tampering or damage of meter or metering equipment is involved and detailed cause of damage or slowness of meter is necessary to be established at the testing lab, the supply is to be maintained by replacing the meter or the metering equipment until theft is established. However, as soon as the theft is established and the consumer involved fails to deposit the assessed theft amount despite serving of the theft bill, it shall be mandatory to disconnect the supply of consumer forthwith.

(g) **Compounding of electricity theft cases under Sec 152 of EA 2003.**

Section 152 of the Electricity Act 2003 has a provision of **Compounding of Offence of only the theft of electricity** alleged under Sec 135 of EA 2003. **No other offence under the EA 2003 is compoundable.** Further, the said offence of theft of electricity can be compounded only if the consumer or the person (accused) detected indulging in ‘Theft of Electricity’ requests for compounding of offence. The compounding of theft of electricity can be done even after lodging of the criminal complaint in the appropriate police station or the court provided that the Officer of MSEDCL so authorized by the State
Government in this regard considers the same and the consumer/person involved deposits a sum of money for compounding of offence at the rate prescribed below:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Nature of Service</th>
<th>Previous Rates</th>
<th>Revised Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Industrial</td>
<td>Twenty Thousand Rupees</td>
<td>Ten Thousand Rupees</td>
</tr>
<tr>
<td>2</td>
<td>Commercial</td>
<td>Ten Thousand Rupees</td>
<td>Five Thousand Rupees</td>
</tr>
<tr>
<td>3</td>
<td>Agriculture</td>
<td>Two Thousand Rupees</td>
<td>One Thousand Rupees</td>
</tr>
<tr>
<td>4</td>
<td>Other</td>
<td>Four Thousand Rupees</td>
<td>Two Thousand Rupees</td>
</tr>
</tbody>
</table>

The revised compounding charges have come in to effect vide Government Notification dated 14.05.2013 (Annex-5). The revised Compounding Charges shall be applicable to all the forthcoming theft of energy cases as well as those that are now pending in enquiry, investigation at the appropriate police station or on trial before appropriate court. However, the theft of energy cases, which are already compounded or decided, shall not be reopened by virtue of above Notification. As prescribed by the Notification No. I.E.A. 1004/C.R. 1533/ NRG – 4 dated 06/04/2004, the State Government has authorized following Officers of the MSEDCL (Annex-6) to accept the sum of money for compounding of offences:

<table>
<thead>
<tr>
<th>Sr. no.</th>
<th>Category of Consumer</th>
<th>Officer authorized to accept the sum of money for compounding of offences.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Low Tension Consumers</td>
<td>Assistant Engineer/Dy. Executive Engineer/Dy. Executive Engineer of Flying Squad/ Executive Engineer of concerned O &amp; M Division.</td>
</tr>
<tr>
<td>2</td>
<td>High Tension Consumers</td>
<td>Superintending Engineer/Chief Engineer of the concerned O &amp; M Zone</td>
</tr>
</tbody>
</table>

The detailed guidelines in respect of Compounding of Offence are prescribed herein below and all the Authorized officers shall ensure that the same are followed:

(i) **Compounding** of offence of theft of Electricity shall be **permitted only once** for any person or consumer. **No compounding** of offence shall be permitted for any person or consumer involved in **second or subsequent occasions** of theft of electricity provided he has compounded the offence once on earlier occasion.

(ii) Compounding can be **allowed at any stage** but only upon payment of **Theft of electricity assessment bill**.

(iii) The compounding shall be done only if the person involved in the theft **unconditionally pays** theft of electricity assessment bill arrived as per regulations and also **voluntarily agrees to pay the compounding charges** as per Section 152 of Electricity Act 2003.

(iv) Rate at which the sum of money for compounding to be collected per KW/HP or part thereof for LT supply and per KVA of contract demand for HT supply is to be as per the rates prescribed in the table at para 3(g) above. For the purpose of LT consumers not billed on LTMD tariff, the connected load or the sanctioned load in KW/HP, whichever is higher is to
be taken in to account for calculation of compounding charges. Further, for the purpose of HT and those billed on LTMD tariff consumers, the connected load or the contract demand or the recorded Maximum Demand (MD) in KW/HP for LT and in KVA for the HT consumers, whichever is higher is to be taken in to account for calculation of compounding charges.

(v) The sum of money payable by the consumer / person as compounding charges shall be accepted only in the form of ‘Demand Draft’ or ‘Pay Order’ or ‘Cash’ or ‘RTGS’. In no circumstances, such a consumer / person shall be permitted to pay by ‘cheque’.

(vi) It shall **neither be obligatory nor binding** on the Authorized Officer to permit compounding of offences in every case.

(vii) If the person involved in theft of electricity shows willingness to compound in writing and the authorized officer agrees to compound the offence then he should give due notice to the consumer specifying the amount of compounding charges payable at the earliest.

(viii) The theft of electricity bill and the compounding ‘chalan’ should **not be served upon the consumer together**. The compounding charges ‘chalan’ should be issued to the consumer only upon unconditional payment of entire amount of electricity theft bill and upon a written request by him (Com Cir no 264 - Annex-7) to the designated compounding authority.

(ix) Even after the consumer/person has unconditionally paid the assessed ‘theft of electricity bill’, if the Authorized Officer has any objection for permitting the compounding of offence, he shall in writing intimate his objections to the higher authority (in case of O&M personnel – Officer not below the rank of Executive Engineer & in case of Flying Squad units – Deputy Director (V&S)) and shall not compound the offence. However, in such a case, it is mandatory upon him to proceed with the criminal complaint and further prosecution.

(x) Compounding of the offence under sec 152 of EA 2003 will give an effect of acquittal within meaning of section 300 of Code of Criminal Procedure.

(xi) As far as the compounding of offence under section 152 is concerned, the provisions of Criminal Procedure Code (Section 320) are not applicable. If the offence is compounded, it should be informed to the concerned Police Station so that note of the fact can be taken by the investigation officer. The offence can be compounded even when the matter is pending before the Court. However, this fact must be brought to the notice of the Court as well as the Investigating Officer by the Authorized officer so that the proceeding can be dropped with the proper order. (Annex-11)

(xii) All authorized Officers shall maintain a separate register titled ‘Compounding register’ (Annex-8) and shall make all necessary entries relating to compounding of theft of electricity cases in such register where the consumer/person has requested in writing for compounding of offences by depositing the sum of money as per prescribed rate.

(xiii) The facility of compounding of offences shall be permitted only once and therefore in all such cases, where the consumer has been permitted compounding of offence, necessary entry shall be taken on the “consumer Personal Ledger” of such consumer so as to avoid
such permission being given to a consumer on more than one occasion. All Authorized officers are therefore to forward a list of consumers, who have compounded the theft of electricity offence, in the prescribed format by 05th of every calendar month, to respective sub-division offices by email, to enable them to raise B-09 document so as to tag CPL appropriately. (Annex-9)

(xiv) In respect of persons other than the consumers of the MSEDCL, a separate register for compounding of offences shall be maintained, so that the said register can be verified to ascertain whether such a person has previously been permitted the facility of compounding of offence.

(xv) The Authorized officers are also to forward a list of consumers, against whom a FIR is lodged in accordance with Sec 135 of EA 2003, in the prescribed format by 05th of every calendar month, to the respective circle offices to enable legal department to monitor the progress of legal action and proceedings as appropriate. (Annex-10)

(h) Lodging of FIR

(i) In case of disconnection of supply either immediately upon site inspection or at any stage later, the FIR should be lodged within 24 hours of such disconnection.

(ii) In any case, if the assessment of theft of electricity amount is not paid within 48 hours after receipt of theft bill, FIR is to be lodged.

(iii) In case the person involved in theft of electricity is not willing to compound the offence and pays only the civil liability charges before disconnection, then the FIR should be lodged immediately within reasonable time. Considering the day-to-day operational and emergent activities, the lodging of FIR in no case shall be delayed beyond 15 days from the time of issue of theft bill.

(iv) If the person concerned pays the assessment of theft of electricity bill unconditionally and also comes forward for compounding of the offence and also pays the compounding charges voluntarily, it is not necessary to lodge FIR. However, intimation to that effect will have to be sent to the concerned Police Station. (Annex-21)

(i) Restoration of electricity supply.

Whenever any person or consumer or his representative, pays the entire assessment of theft of electricity bill, whether conditionally or unconditionally, his supply is to be restored within 48 hours of such payment of theft bill along with reconnection charges. Meter cost is also to be recovered in case the theft involves replacement of meter due to damage or tampering of meter.

3. Instructions to Assessing officers in respect of Section 126 of EA 2003.

a) Authority to Inspect.

The Government of Maharashtra vide Gazette Notification No. EA 2006/CR 477(1)/NRG-3 dated 26th Sept 2006 has authorized under mentioned MSEDCL Officers to
exercise authority and all powers thereof under section 126 of EA 2003 on its behalf. These officers have been nominated as the ‘Assessing Officers’ to deal with all aspects connected with sec 126 of EA 2003. A copy of above quoted authority letter is placed at Annexure-3.

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Officers</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Assistant Engineer/ Deputy Executive Engineer from O&amp;M of concerned area of MSEDCL/ Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security)/Executive Engineer from Operation and Maintenance of concerned area of MSEDCL</td>
<td>Low Tension Consumers</td>
<td>Authorised to exercise authority and all powers thereof under section 126 of EA 2003</td>
</tr>
<tr>
<td>2</td>
<td>Superintending Engineer/Chief Engineer from O&amp;M of concerned area of MSEDCL</td>
<td>High Tension Consumers</td>
<td>Same as above</td>
</tr>
</tbody>
</table>

b) **Powers of ‘Assessing Officers’**

For the purpose of investigation & enforcement and in order to determine & establish occurrence and incidence of ‘Unauthorized use’ of electricity as per the provisions of Sec 126 of EA 2003, the above mentioned Assessing Officers of MSEDCL have been entrusted to exercise following powers on behalf of the Government of Maharashtra: -

(i) Enter, **inspect**, search any place or premises in which he has reason to believe that the electricity has been or is being unauthorised use.

(ii) Enter and **inspect** the equipments, gadgets, machines, devices found connected or used for unauthorized use of electricity.

(iii) **Inspect records maintained** by a person alleged in unauthorized use of electricity.

(viii) **Search, seize and remove** all such devices, instruments, wires and other facilitator or article which has been or is being used for unauthorized use of electricity.

(ix) Upon such an **inspection** as prescribed above, only the Assessing officer has the powers to draw a conclusion whether a person is indulging in unauthorized use of electricity or not.

(x) Only the Assessing officer, on such a conclusion of unauthorized use of electricity by a person, shall and has the powers to **provisionally assess** to the best of his judgment the electricity charges payable by such person or by any other person benefited by such use.

(xi) Assessing officer has the powers to and **shall** afford a reasonable opportunity of hearing to a person involved in unauthorized use of electricity if he has any objections against the provisional assessment served upon him.
c) **Determination of Unauthorized use of electricity.**

The ‘Unauthorized use of electricity’ is said to have occurred, when the Assessing officer, **during the inspection of** any place or premises **OR** after inspection of the equipments, gadgets, machines, devices found connected or used, **OR** after inspection of records maintained by any person **finds the usage of electricity**

(i) By any artificial means; or
(ii) By a means not authorized by the MSEDCL; or
(iv) through a tampered meter; or
(v) for the purpose other than for which the usage of electricity was authorized; or
(vi) for the premises or areas other than those for which the supply of electricity was authorized.

The Assessing officer has to draw conclusion based upon findings during the course **of** inspection of any place or premises **OR** after inspection of the equipments, gadgets, machines, devices found connected or used, **OR** after inspection of records maintained by any person. Therefore, every assessing officer must **carry out inspection himself** and endeavour to collect all possible photographic, video graphic and documentary evidence to prove as to who (person), where (location/premises), when (duration/period) and how (mode of unauthorized use) the unauthorized use has taken place. Further, he has to ascertain that the **person involved has gained by doing such an act**. Till the time the Assessing officer does not conclude all the parameters stated above, based on the evidence available or due to delay in collection of evidence, the case may be kept under observation with a specific noting made on the Spot inspection report under remarks column as “**Under observation for determination of case under Sec 126 of EA 2003**”. In a normal case, the assessing officer is expected to complete all his inspection, investigation and collection of evidence within a reasonable period of seven days; however the same is not binding provided process of obtaining/collection of evidence are in progress.

There are two additional provisions under sections 126 as well as 135 which appear to be overlapping. These are discussed as under:

The provisions of sub-section 126 explanation-b (i & ii) are: -

…. **the usage of electricity**

(i) by any artificial means; or

(ii) by a means not authorized by the MSEDCL;

**AND**

**Sub Sec (1) of Sec 135 of EA 2003 clearly states that …**

…..“**Provided also that if it is proved that any artificial means or means not authorized by the Board or licensee or supplier as the case may be, exist for the abstraction consumption or use of electricity by the consumer, it shall be presumed until the contrary is proved, that any abstraction, consumption or use of electricity has been dishonestly caused by such consumer”**…..
The above provision (excluding tampered meter and unauthorized premises being separately dealt in EA 2003) indicates that, whenever a consumer uses electricity and ultimately gains by using means such as looping of meter, changing or incorporating IC components of the meter, using remote etc, is said to have used electricity by an artificial means. Whenever, the inspecting officer has sufficient proof of use of such artificial means by the consumer to abstract, consume or use electricity then it would be presumed that the same has been dishonestly caused by such consumer. Therefore, whenever a consumer is found abstracting, consuming or using electricity by any artificial means, he is to be initially booked under Sec 135 of EA 2003.

Similarly, the above provision under sec 135 of EA 2003 also indicates that, whenever a consumer uses electricity and ultimately gains by using means such as hooking, tapping, bypassing meter etc, that are not authorized by the Board or licensee or supplier then it would be presumed that the same has been dishonestly caused by such a person or consumer. Therefore, whenever a consumer is found abstracting, consuming or using electricity by a means not authorized by the MSEDCL, he is to be initially booked under Sec 135 of EA 2003. Only if contrary is proved by the consumer, that he did not do it dishonestly, the case falls under the provision of sub-sub section (ii) under section 126 explanation-b.

Whenever a case of excess load is being considered for application of Sec 135 or 126 of EA 2003, if the consumer is or has been charged with excess load penalty and appropriate tariff as per MERC orders, then the case does not fall under either sec.135 or 126 of EA 2003. This is because the consumer has not gained in any way by doing so and has been penalized accordingly. Further, when the consumer uses excess load than sanctioned/authorized by MSEDCL but such use does not attract any load penalty or tariff change, still the case does not fall under sec 135 or 126 of EA 2003 because the consumer does not gain in any way by doing so and he is paying the electricity charges for such consumption. As per the MERC orders, whenever the consumer exceeds sanctioned load on more than three occasions in a calendar year, he is to be given due notice for extension of load and excess load shall be regularized.

The provisions of sub-section 126 explanation-b (iii & iv) are as follows: -

.... the usage of electricity

(iii) Through a tampered meter; or

(iv) For the purpose other than for which the usage of electricity was authorized.

The above provisions under sec 126 are to be applied when the dishonest intention of the consumer cannot be clearly established. The same have been covered earlier in-depth at para 3(d)(iv) above.

The provisions of sub-section 126 explanation-b (v) states that the use of electricity is said to have been done unauthorisedly when a person or a consumer uses the electricity for the premises or areas other than those for which the supply of electricity was authorised. For sake of establishing the premises or areas other than those for which the supply of electricity was authorised, the Assessing officer has to carefully examine the premises that are mentioned in the consumers application form (A1 form). In case the A1 form is not available readily, the Assessing officer is to establish the extent of premises by examining/inspecting the land records from the consumer or the appropriate revenue authority of the area. Only when it is established that the use of electricity is being carried out in the premises not authorised by the MSEDCL, then such quantum of use only can be termed as unauthorised use and appropriate assessment can then be drawn under sub-section 126 explanation-b (v) of EA, 2003.
d) **Assessment and Recovery of ‘Civil liability’ under Sec 126 of EA 2003.** The brief guidelines regarding assessment and recovery of civil liability in cases of section 126 of EA 2003 are as follows:-

(i) If the assessing officer comes to the conclusion that such person is indulging in unauthorized use of electricity, he shall provisionally assess to the best of his judgment the electricity charges payable by such person or by any other person benefited by such use.

(ii) The assessment shall be made for the entire period during which such unauthorised use of electricity has taken place.

(iii) If, however, the period during which such unauthorized use of electricity has taken place cannot be ascertained, such period shall be limited to a period of twelve months immediately preceding the date of inspection.

(iv) The assessment under this section shall be made at a rate equal to **twice the tariff applicable** for the relevant category of services.

(v) The order of provisional assessment shall be served upon the person in occupation or possession or in charge of the place or premises. The assessed bill should be served along with provisional assessment order, the proforma of which is placed at Annx12

(vi) Any person served with the order of provisional assessment may, accept such assessment and **deposit the assessed amount with the MSEDCL within seven days** of service of such provisional assessment order upon him.

(vii) The person, on whom a provisional assessment order has been served, shall be entitled to file objections, if any, against the provisional assessment before the assessing officer.

(viii) Either they said person should deposit the provisionally assessed amount with MSEDCL or **file an objection**, if any, against the provisional assessment before the assessing officer.

(ix) The Assessing officer shall, after affording a reasonable opportunity of hearing to such person pass a final order of assessment within thirty days from the date of service of such order of provisional assessment, of the electricity charges payable by such person. Final assessment order proforma is placed at Annex-13

(x) Any person aggrieved by a final order made by Assessing officer under section 126 may, within thirty days of the said order, prefer an appeal to an appellate authority in accordance with Sec 127 of EA 2003. The assessing officer is to appear before the appellate authority and meet the entire legal obligations on behalf of the company and the government. If necessary, he is to take necessary legal advice and help in the matter from the Legal Wing of concerned circle office. The GoM order nominating appellate authorities is placed at Annex-3.

(xi) No appeal against the final order of assessment under section 126 shall be entertained unless an amount equal to half of the final assessed amount is deposited by the person/consumer in
cash or by way of bank draft with the MSEDCL and documentary evidence of such deposit has been enclosed along with the appeal.

(xii) If the consumer neither appeals nor pays the final assessment amount within thirty days of the said final order under Section 126 or 127, as the case may be, the consumer should be served such bill along with a disconnection notice of 15 clear days in writing in accordance with Sec 56 (1) of EA 2003.

(xiii) In case the consumer fails to deposit the amount due upon him on or before the due date mentioned in the disconnection notice, the supply is to be disconnected by the concerned Office.

4. **Handling of monetary rewards to outsider informants / MSEDCL employees.**

If a consumer or a person including employee of the Company (other than his jurisdiction/working area) provides reliable & conclusive information about **theft of electricity covered under Section 135 that results in recoveries of revenue to the Company**, then such consumer/person/employee of the Company helps in recovery of revenue to the Company, then such consumer/person/employee of the Company would be given a Monetary Reward, provided the information given by the informant leads to the detection of theft of electricity and the consumer pays the money against theft of electricity unconditionally. The procedure to be adopted to grant such monetary reward would be as follows:

(a) The Monetary Rewards shall be up to 10% of the assessed theft bill given to the outsider informants as well as the employees of MSEDCL providing information of theft other than the area under their jurisdiction.

(b) The Reward shall be paid to the informant only after payment of the complete theft bill and Compounding amount. Total reward shall not exceed 10% of the theft bill paid by the accused person/consumer.

(c) Where the consumer involved in theft of electricity is not eligible for compounding due to him being booked under Section 135 for second time, the final reward shall be paid to the informant by deducting the amount of immediate reward after complete payment of only the theft bill by the accused person/consumer.

(d) Immediate reward will be granted & released by the billing authorities. These authorities shall release this reward only after due verification & confirmation (which is to be recorded) that the information provided by such an informant has resulted in the detection of the theft of electricity and that the theft bill has been served to the accused person/consumer.

(e) The Director (V&S), Chief Engineers, Superintending Engineers & Executive Engineers will be the Competent Authorities to decide and grant / release the final monetary reward depending upon the amount of the final monetary reward as given below:
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Competent Authority</th>
<th>Final monetary reward amount limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>i</td>
<td>Executive Engineer</td>
<td>Up to Rs. 50,000/- for L.T. cases</td>
</tr>
<tr>
<td>ii</td>
<td>Superintending Engineer</td>
<td>Up to Rs. 1,00,000/- for L.T. cases</td>
</tr>
<tr>
<td>iii</td>
<td>Chief Engineer</td>
<td>Above Rs. 1,00,000/- for L.T. &amp; H.T. cases</td>
</tr>
<tr>
<td>iv</td>
<td>Director (V&amp;S)</td>
<td>Full powers</td>
</tr>
</tbody>
</table>

(f) The identity of the person providing such information about theft of electricity that results in detection and recovery of loss of revenue, shall be kept confidential.

(g) In order to keep the identity of informant confidential, the monetary rewards (Initial & Final) are to be paid either by cash up to Rs. 20,000/- & through cheque or online transfer (i.e. RTGS/NEFT as applicable) for amounts above Rs. 20,000/- to the informant’s bank account. The necessary bank details may be collected from the informant for same.

5. **Handling of theft cases in Lok Adalat.**

With a view to reduce litigation, it is decided by the Competent Authority that steps would be taken to get the cases u/s.135 of the Electricity Act settled through the Lok Adalats. In case there is a request from the accused u/s.135, or there is a suggestion from the Court to that effect, the Authorised officer should accept the same and give consent to place the cases u/s. 135 before the Lok Adalat.

Ordinarily, Lok Adalats are held on working Saturday, non-working Saturday and Sundays. Certain formalities are required to be completed before the case is put up before the Lok Adalat for final disposal. Under the provisions of Legal Services Authorities Act 1987, any of the parties to the litigation can request to the court before which the case is pending, to refer the same for its decision through the Lok Adalat. In case we get intimation from the litigant (accused) or from the Hon’ble Court about the particular cases being referred for disposal by Lok Adalat, we can call the persons involved in the offence of theft u/s.135 for negotiation and can settle the matter before the date on which the Lok Adalat is scheduled to be held. The matters can also be settled even when the same are called before the Lok Adalat in case those are not settled prior to the date of holding of Lok Adalat. In order to have uniform practice and give reasonable concession to the parties involved in litigation u/s.135 of the Act, it is decided to give concession up to 10% to 15% of the total claim of the civil liability assessed as per the MERC Regulations. This will facilitate the litigant to come forward for amicable settlement.

For signing of settlement before Lok Adalats, the Chief Engineers are to depute concerned Superintending Engineer, who shall exercise his powers to negotiate and settle assessed civil liability by giving concession up to 10% to 15% thereof. For recovery of the settled amount, paid in cash or by way of cheque payment, one person from Accounts Department is to be deputed to issue appropriate receipt for the payment of the final civil liability arrived at. The receipt for the compounding charges as per the Act also will have to be passed.

litigation case u/s.135 of the Electricity Act would deemed to have been finally settled in Lok Adalat only upon payment of final civil liability arrived at and the compounding charges by the
consumer unconditionally and that there will be no concession granted whatsoever in compounding charges specified by the government.

6. **Jurisdiction of IGRC / CGRF / Ombudsman/Consumer forum and MERC in electricity theft cases.**

Vide the MERC (Consumer grievance redressal forum and electricity Ombudsman) regulations 2006, various authorities such as IGRC, CGRF, Ombudsman, Consumer forum or the MERC have no jurisdiction to entertain or deal with theft of electricity cases under sec 135 of EA 2003. The excerpt of MERC regulation no 6.8 is as under:

“If the Forum is prima facie of the view that any Grievance referred to it falls within any of the following provisions of the Act the same shall be excluded from the jurisdiction of the Forum:

(a) Unauthorized use of electricity as provided under section 126 of the Act:

(b) Offences and penalties as provided under sections 135 to 139 of the Act:…”

The above guidelines have been issued with an aim to bring synergy between various authorities of MSEDCL that deal with different aspects of theft of electricity case. All authorities involved are advised to, as far as possible; communicate only via emails between themselves so as to avoid unnecessary delays, as the actions to be taken in dealing a theft of electricity case are time bound and specific as per Electricity Act 2003.
Part B

Other Suggestive Activities to be carried out by concern Person/Officers in matter of unauthorized use of Electricity

1. Suggestive pre-inspection activities by the inspection team.

Upon receipt of probable theft or unauthorized use of electricity information related to their jurisdiction or while proceeding and undertaking routine technical inspection of electrical connection, the Authorized / Assessing officer is to adhere to under mentioned procedure so as to meet all the technical and legal requirements prescribed by various authorities from time to time. The Pre-inspection activities may be carried out by the inspection team are enumerated below:

(a) All members of the inspection team should possess valid MSEDCL Identity Cards.

(b) Carry all the necessary and serviceable T&P (e.g. tong-tester, tester, phantom load, test lamp etc.). Carry all the requisite testing equipment that is necessary depending on the category (HT/LT) of connection to be checked. (e.g. single/three phase Accucheks, Zera, HHU etc.) The testing equipment so carried should be calibrated (preferably from nearest MSEDCL lab) and the authorized officer must possess a copy of a valid calibration certificate.

(c) Complete consumer inspection logbook entries that are required to be maintained as per section 8.4 of MERC Reg 2005. (Annex-14)

(d) Ascertain the availability of supply in the general geographical area of inspection prior departure.

(e) If the information/intelligence of theft or unauthorized use of electricity received is that of a valid MSEDCL consumer then obtain and analyze the CPL and MRI data of the consumer prior inspection.

(f) Carry all required spot inspection forms, documents, printed seal formats, plain papers for drawing panchnama / seizer panchnama, etc.,

(g) Be in possession of copy of the notification of GOM authorizing employees of MSEDCL to perform various functions under the EA 2003. (Annex-3)

(h) Letter regarding special drive, if any, from the competent authority should be kept handy especially when operating beyond the area of jurisdiction.

(i) The team in-charge may inform to the nearest police station in writing in case the inspection team is knowingly proceeding to a disturbed/disputed area for theft detection.

(j) All team members of the inspection team are to be in possession of the contact telephone No. of the police station under whose jurisdiction the inspection site falls for timely
intimation of any or likely untoward incidence at the site of inspection. This will enable any member of the team to intimate and get police protection if and when necessary.

(k) The squad/team in-charge must assign specific duties and responsibilities to each of his team member prior proceeding to the inspection site.

2. **Suggestive Actions/Responsibilities of the inspection team at the time of inspection.**

Various actions/responsibilities of the inspection team at the time of inspection of consumer’s premises or his metering equipment are as follows:

(a) Authorised Officer is to introduce himself & other members of the squad/team along with briefing of inspection procedure to the consumer or his representative present on the spot, prior commencement of spot inspection.

(b) Conduct technical inspection of the complete metering equipment in accordance with the procedure laid down vide promulgated spot inspection report form (Annex-15) and obtain HHU/MRI data wherever applicable. If for any reasons the premises or the metering equipment is locked and the authorized officer strongly suspects and has reasons to believe that theft of electricity exists then he is within his rights to break open such locked premises/metering equipment, as the case may be, in accordance with sub-section 2 (a) of section 135 of EA 2003. However, he should only do so in the presence of minimum of two panchas and must record the same in the panchnama drawn appropriately.

(c) Authorized officer is to clearly establish the method used and the violation of specific sub-section under sec. 135 (1) by the consumer to abstract or consume or use electricity dishonestly OR specific sub-section under Sec. 126 explanation-b of EA 2003 and also mention any other irregularities observed. If it is proved that any artificial means or means not authorized by the Board or licensee or suppliers, as the case may be, exist for the abstraction, consumption or use of electricity by the consumer (theft done by use of remote control), it shall be presumed, until the contrary is proved, that any abstraction, consumption or use of electricity has been dishonestly caused by such consumer. (Section 135 1(ii) of EA 2003)

(d) In case of an ‘unauthorized use of electricity’ it required to collect all the evidence in support of such an unauthorised use.

(e) The spot inspection report must be correctly and completely filled with accurate mention of purpose of use of electricity, applicable tariff, total connected load at the time of inspection, multiplying factor (MF) if applicable, extension of supply, if any, for the premises or areas other than those for which the supply of electricity was authorized etc. If there exists use of electricity for more than one purpose then connected load for each of the purpose is to be separately and distinctly mentioned to correctly account for unauthorized use. The Authorised officer should endeavour to obtain the signature of the consumer/occupant of the premises or his representative who is present on site during the technical inspection. If for any reasons, /occupant/representative refuses to sign then the same is to be specifically mentioned as ‘Refused to sign’ in the spot inspection report.
(f) The authorized officer is to co-ordinate activities amongst the squad members & also with the local O&M staff during the site inspection for replacement of meter, disconnection of supply, searching/seizing & removal of any devices, instruments, wires or articles that has been or is been used by the consumer to carry out in case of theft of electricity.

(g) The authorized officer must demand from the consumer & examine or seize any books of accounts or documents which in his opinion shall be useful for or relevant to any proceedings in respect of the Theft OR Unauthorized use of electricity after allowing him to make copies or take extracts of any of the documents so seized.

(h) The authorized officer must ensure presence of the consumer/occupant of such place or his representative during the search and should prepare a detailed list of all things seized in the course of such search duly signed by the consumer/occupant or his representative. He shall also deliver a copy of the list of items seized to the consumer/occupant or his representative.

(i) No inspection, search and seizure of any domestic places or domestic premises shall be carried out between sunset and sunrise except in the presence of an adult male member occupying such premises. A specific noting shall be made in the spot inspection report mentioning the name of an adult male member in whose presence such an inspection was carried out.

(j) The inspection team should endeavor to collect every possible material, documentary, audio/video graphic and photographic evidences so as to clearly establish when, where, how and who has carried out the Theft OR Unauthorized use of electricity of electricity. If the user of electricity is other than the authorized consumer/owner of the premises then the name of both the parties are to be clearly mentioned in the spot inspection report.

(k) The Assistant Vigilance Officer or the officer so detailed or in case no assistant available then the authorized officer himself is to draw a detailed Spot Panchanama, Seizure Panchanama and Meter Opening Panchanama whichever applicable (Annex-16).

(l) If for any reasons, the consumer/user or their representatives prevent the inspection team from carrying out lawful inspection of the metering equipment and the use of electricity to detect theft, by way of any hindrance/force, then the team should stop undertaking further inspection with specific mention of hindrance/force caused by such consumer/user or their representatives in the spot inspection report. The team should then proceed directly to the nearest police station and lodge an FIR under relevant sections of IPC that are applicable in the circumstances and conditions (Annex-17), and seek necessary protection/police escort to continue with the said technical inspection of the metering equipment and consumer’s premises from the point of discontinuation. However, the team in-charge/the authorized officer will be the final authority to take the decision of stopping the technical inspection in progress due to the hindrance/force caused by taking into accounts the existing circumstances and conditions at site.

(l) The authorized officer is to hand over the copy of following documents to the concerned consumer or his representative;
(i) Spot Inspection Report (Annex-15)
(ii) Spot, Seizure or Meter Opening Panchanama (Annex-16)
(iii) Assessment Sheet (Annex-18)
(iv) Theft of Energy Bill under covering letter (Annex-19)

(n) In case the consumer or his representative refuses to sign the documents or accept any or all of the above documents then the authorized officer is to paste the copy of such documents at a suitable prominent place in consumer premises and take a photograph as an evidence of having served all such documents upon the consumer.

(o) Try to obtain photograph of consumer’s / users / representatives present during the inspection indirectly.

3. **Suggestive Post inspection activities.**

Post inspection activities to be carried out by the Authorized / Assessing officer upon detection of theft OR unauthorized use of electricity is as follows:

(a) The concerned S.O. / SDO be intimated details of the replacement of the meter if any along with the details of the seized meter in writing. (Annex-20)

(b) In case of HT consumer, the concerned Superintending Engineer being the billing authority should be informed immediately.

(c) In case of theft of electricity, the authorized officer should intimate the Consumer in writing to attend the nearest MSEDCL Meter Testing Unit/Lab for detailed testing of the suspected meter. He is to finalize the time and date of such testing of the meter in coordination with the concerned Meter testing Unit/lab in-charge and the consumer. (Annex-21)

(d) In case the consumer fails to attend the testing of the suspected meter on the predetermined time and date then the meter should be tested in presence of at least two panchas and results obtained be intimated to the consumer by registered AD (Annex-22). Guidelines for the purpose of meter opening are elaborated in detail at Annex-23.

(e) Upon testing of the suspected meter in the presence or absence of the consumer/representative/user as the case may be, obtain a detailed Test Certificate (Annex24) from the concerned Testing Division / Unit. Testing division/ unit in-charge must specify, as far as possible, the cause of slowness of meter.

(f) The suspected meter is to be opened thereafter to establish the cause of error in the meter. If necessary, the suspect meter should be compared with a similar make/type good condition meter to pinpoint the tampering and if the cause of slowness of meter cannot be clearly established, the same is to sent to the manufacturer/OEM and obtain from them an expert opinion in the case.
(g) Carry out Meter Opening Panchanama (Annex-16) with specific mention of the exact cause due to which the incorrect reading was being recorded by the suspect meter. Video record the Meter Opening activity, if feasible.

(h) Analyze the consumer CPL/MRI data for determining the period of theft OR unauthorized use of electricity and the stolen OR unauthorized used. The theft units are to be calculated in accordance with the guidelines outlined at Annex-4 and the units used unauthorisedly to be calculated in accordance with the guidelines.

(i) Intimate the assessed theft OR unauthorisedly units used to the concerned billing authority (LT – S/Dn / HT – Circle) for preparation of the theft / Provisional assessment bill.(Annex-25)

(j) The theft OR unauthorized use of electricity bill be duly signed either by the sub-division officer being the billing unit In-charge or by the Officer In-charge of Flying squad being the authorized officer, whichever is convenient.

(k) The theft OR unauthorized use of electricity bill be calculated using online program available on the MSEDCL web site so as to maintain correctness and uniformity throughout the state. If, for any reasons, the access to the web site is not available then the said bill may be prepared manually and served upon the consumer duly audited locally.

(l) Serve the theft bill to the consumer under a covering letter mentioning relevant provisions of the law along with the information about the compounding of the offence when applicable. (Annex-19)

(m) In case of theft case, the consumer fails to pay the bill within the stipulated time period, his supply is to be disconnected forthwith and a FIR be lodged in either the Local police station with ‘ZERO’ no. (Relevant GR at Annex-26) or the concerned MSEDCL police station within 24 hrs of disconnection of power supply. Sample copy of ‘Firyad’ is placed at Annex-27.

(n) Upon payment of the electricity theft bill and other applicable charges, the supply of the consumer is to be restored within 48 hours of the repayment positively.

(o) If the theft assessment bill is paid after the FIR is lodged, the compounding bill can be served upon the consumer but only upon his written request. After due payment of such compounding charges, it is mandatory to inform in writing, the concerned police station where the FIR is lodged along with details of compounding.

(p) If the theft assessment bill is paid after lodging of FIR and the case is thereafter pending for trial in the court of law, then the compounding bill can be served upon the consumer upon his written request and compounding done only with knowledge and permission of the said court. After due payment of such compounding charges, it is mandatory to inform in writing, to the concerned police station where the FIR is lodged as well as the court along with details of compounding.
4. **Suggestive Activities by Assessing officer/Sub Division office.**

The actions that are contemplated to be initiated by the respective Assessing offices are as follows:

(a) Prepare ‘Theft bill’ OR ‘Bill for unauthorized use’ using online bill calculator on receipt of the assessment sheet from the Authorized/Assessing officer.

(b) In case the online theft bill calculator is not available/accessible, the said bill should be prepared manually in accordance with the guidelines in force and be duly audited.

(c) Serve the theft bill to the consumer and obtain his acknowledgement.

(d) If the consumer refuses to acknowledge the receipt of the theft bill, then the officer/employee who has proceeded to deliver the theft bill should paste the theft bill at a prominent place in the consumer premises, preferably on the main door, mailbox, main entrance etc and take a photograph of the same as evidence.

(e) If for any reasons, it is not possible to serve the theft bill to the consumer physically, the same should be sent by speed post/registered AD.

(f) Make appropriate entries in the CPL/Theft/Compounding register.

(g) Accept theft bill payment under correct receipt type.

(h) Accept all compounding requests from the consumer only in accordance with Circular No. 264 dated 16 May 2016 *(Annex-7)* and forward the same to the concerned authorized officer for either acceptance or rejection.

(i) Issue compounding charges chalan to the consumer only after due clearance by the authorized officer.

(j) Accept compounding amount payment under correct receipt type (Receipt type No. 09)

(k) If it is decided to refuse the consumer’s request and not to compound the case, then intimate concerned Executive Engineer/Dy. Director & also suitably intimate the consumer about the same. In case of refusal of compounding, direct the authorized officer to lodge FIR immediately.

(l) If the consumer fails to pay the theft OR unauthorized use bill amount within the notice period, disconnect the consumers supply and in theft case intimate the authorized officer immediately so as to enable him to lodge FIR within 24 hrs of such disconnection.

(m) Intimate the authorized officer of recovery details (Receipt No, date & amount).

(n) Feed necessary debit B-80 in respect of the consumer.
(o) Consolidate the monthly theft cases details and receipt of compounding charges and submit the same to the division.

(p) Monitor the progress of outstanding theft and unauthorized use cases.

5. **Suggestive Activities by Division office.**

(a) Collate monthly theft report and receipt of compounding charges of the division and submit the audited copy to their respective circle office for onward submission.

(b) Monitor the progress of outstanding theft and unauthorized use cases of Division.

(c) Carry out random checking and inspection of compounding registers at the sub-division and theft registers at section offices.

6. **Suggestive Activities by circle office.**

(a) Collate monthly theft report received from divisions and submit the audited copy to zone for upward submission.

(b) Monitor the progress of outstanding theft and unauthorized use cases of Circle.

(c) On detection and reporting of theft OR unauthorized use of electricity case of any HT consumer within his jurisdiction, the Superintending Engineer being the assessing officer in all HT consumers, is to initiate time bound actions of preparation and issue of theft bill as necessary.

(d) Accept theft OR unauthorized use of electricity bill payment under correct receipt type.

(e) Accept compounding request from the consumer only in accordance with Circular No. 264 dated 16 May 2016 and forward the same to the concerned authorized officer for either acceptance or rejection.

(f) Issue compounding charges ‘chalan’ to the consumer only after due clearance by the authorized officer in the case.

(g) Accept compounding amount payment under correct receipt type (Receipt type No. 09)

(h) If it is decided to refuse the consumer’s request and not to compound the case, then direct the authorized officer in the case to intimate immediately the higher authority/Dy. Director & suitably intimate the consumer about the same. In case of refusal of compounding, direct the authorized officer to lodge FIR immediately.
(i) If the consumer fails to pay the theft OR unauthorized use of electricity bill amount within the notice period, disconnect the consumers supply and in theft case intimate the authorized officer immediately so as to enable him to lodge FIR within 24 hrs of such disconnection.

(j) Intimate the authorized officer of recovery details (Receipt No., date & amount).

(k) Make appropriate entries in the CPL/Theft/Compounding register.

(l) Feed necessary debit B-80 of the consumer.

(m) Maintain all details & record of theft cases detected within the circle in which FIR / court cases have been lodged. Further, the Circle ALOs are to monitor the progress of these cases for favourable disposal.

(n) Provide appropriate legal support to all authorized officers within the circle on as required basis.

(o) The circle office is to consolidate credit IBA for the circle as a whole for the amount collected during the month as ‘compounding charges’ and account the same under Account Code No. 47.702.8 (Schedule No. 28). It shall then raise the same to the WM Section (LC-963) in the subsequent month positively. The WM Section shall arrange to pay/adjust consolidated compounding amount for the Company as a whole to Government of Maharashtra on monthly basis as per CGM(F&A) Cir No 36 dt 06 Mar 2007.

7. **Suggestive Activities by IT Center.**

(a) The Section/Sub division wise, Theft-Stat report should be generated category-wise on monthly basis indicating the following

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Section of EA 2003</th>
<th>Month &amp; Year</th>
<th>Total no of detected cases</th>
<th>Total no of paid cases</th>
<th>Total no of balance cases</th>
<th>Cases balance beyond 60 days</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>135</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>126</td>
<td></td>
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</tr>
</tbody>
</table>

(b) IT Section should be in a position to generate individual case details Sec. 135 and 126 of EA 2003

8. **Suggestive Activities by Police Station.**

(a) **Local Police Station**

(i) Verify the documents and accept the FIR with ‘Zero” no.

(ii) Hand over / forward the same to the concerned Mahavitaran Police station as soon as possible for further investigation and disposal.
(b) **Mahavitaran Police Station**

(i) Verify the documents and accept the FIR lodged by the authorized officer directly or through local police station.

(ii) Make necessary entries in the appropriate registers.

(iii) API / Officer-in-Charge to nominate investigating officer.

(iv) Investigating officer to conduct necessary investigation in the case in accordance with and by adhering to the relevant sections of IPC, EA 2003 and any other orders in force.

(v) The investigating officer is to endeavour to establish clearly as to the actual person or persons who has been benefitted by the reported theft of electricity, the method used for extraction of electricity dishonestly and the person/persons who have actually done the interference with the meter, metering equipment or works of the licensee.

(vi) In the absence of compounding of the offence by the consumer/user, the investigating officer is to complete the investigation within reasonable time and file charge sheet in the respective session court with the approval of the API / Officer-in-Charge of the police station.

(vii) In case of receipt of intimation of compounding of offence either by the Authorised officer / complainant or the consumer/user himself then take action in accordance with Sec 152 of EA 2003.

(viii) Obtain due approval of the appropriate court for the final closure of the case following established procedure.

(ix) Collate the information received from various MSEDCL authorities / Authorised officers and maintain proper record in respect of consumers / persons involved in theft of electricity against whom the appropriate action had been taken in accordance with Sec 135 and 152 of EA 2003 but no FIR was lodged against them due to compounding of offence.

(x) Establish mechanism to generate intelligence regarding theft of electricity and intimate the same to respective Dy Director (VS&E) for further necessary action.

(xi) Collate and submit monthly progress report of the investigation and disposal of cases to the Director (V&S) through their respective Dy Directors.

For the sake of explanation, the comparison between Sec. 126 and Sec. 135 of Electricity Act 2003 is annexed herewith at **ANNEXURE - 28**
Extract of Electricity Act. 2003 – Section 135 and Section 126
PART XII

INVESTIGATION AND ENFORCEMENT

Section 126: (Assessment): ---

(1) If on an inspection of any place or premises or after inspection of the equipments, gadgets, machines, devices found connected or used, or after inspection of records maintained by any person, the assessing officer comes to the conclusion that such person is indulging in unauthorized use of electricity, he shall provisionally assess to the best of his judgement the electricity charges payable by such person or by any other person benefited by such use.

(2) The order of provisional assessment shall be served upon the person in occupation or possession or in charge of the place or premises in such manner as may be prescribed.

(3) The person, on whom an order has been served under sub-section (2) shall be entitled to file objections, if any, against the provisional assessment before the assessing officer, who shall, after affording a reasonable opportunity of hearing to such person, pass a final order of assessment within thirty days from the date of service of such order of provisional assessment of the electricity charges payable by such person.

(4) Any person served with the order of provisional assessment, may, accept such assessment and deposit the assessed amount with the licensee within seven days of service of such provisional assessment order upon him:

(5) If the assessing officer reaches to the conclusion that unauthorised use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorised use of electricity has taken place cannot be ascertained, such period shall be limited to a period of twelve months immediately preceding the date of inspection.

---

1 Subs. by Act 26 of 2007, Sec.11 (w.e.f. 15th June 2007).
2 The words “Provided that in case the person deposits the assessed amount he shall not be subjected to any further liability or any action by any authority whatsoever” omitted by Act 26 of 2007, Sec.11 (w.e.f. 15th June 2007).
3 Subs. by Act 26 of 2007, Sec.11 (w.e.f. 15th June 2007).
(6) The assessment under this section shall be made at a rate equal to \[\frac{1}{2}\] the tariff rates applicable for the relevant category of services specified in sub-section (5).

Explanation.- For the purposes of this section,-

(a) “assessing officer” means an officer of a State Government or Board or licensee, as the case may be, designated as such by the State Government;

(b) “unauthorised use of electricity” means the usage of electricity –

(i) by any artificial means; or
(ii) by a means not authorised by the concerned person or authority or licensee; or
(iii) through a tampered meter; or
(iv) for the purpose other than for which the usage of electricity was authorised; or
(v) for the premises or areas other than those for which the supply of electricity was authorized.”

Section 127. (Appeal to Appellate Authority): --- (1) Any person aggrieved by the final order made under section 126 may, within thirty days of the said order, prefer an appeal in such form, verified in such manner and be accompanied by such fee as may be specified by the State Commission, to an appellate authority as may be prescribed.

(2) No appeal against an order of assessment under sub-section (1) shall be entertained unless an amount equal to \[\frac{1}{3}\] of the assessed amount is deposited in cash or by way of bank draft with the licensee and documentary evidence of such deposit has been enclosed along with the appeal.

(3) The appellate authority referred to in sub-section (1) shall dispose of the appeal after hearing the parties and pass appropriate order and send copy of the order to the assessing officer and the appellant.

(4) The order of the appellate authority referred to in sub-section (1) passed under sub-section (3) shall be final.

---

1 subs. by Act 26 of 2007, Sec. 11 for the words “one-and-half times” (w.e.f. 15th June 2007).
2 Subs. by Act 26 of 2007, Sec. 11 (w.e.f. 15th June 2007)
3 Subs. by Act 26 of 2007, Sec.12 for the words “one third of the assessed amount” (w.e.f. 15th June 2007).
(5) No appeal shall lie to the appellate authority referred to in sub-section (1) against the final order made with the consent of the parties.

(6) When a person defaults in making payment of assessed amount, he, in addition to the assessed amount shall be liable to pay, on the expiry of thirty days from the date of order of assessment, an amount of interest at the rate of sixteen per cent, per annum compounded every six months.

Section 128. (Investigation of certain matters): ---- (1) The Appropriate Commission may, on being satisfied that a licensee has failed to comply with any of the conditions of licence or a generating company or a licensee has failed to comply with any of the provisions of this Act or rules or regulations made thereunder, at any time, by order in writing, direct any person (hereafter in this section referred to as “Investigating Authority”) specified in the order to investigate the affairs of any generating company or licensee and to report to that Commission on any investigation made by such Investigating Authority:

Provided that the Investigating Authority may, wherever necessary, employ any auditor or any other person for the purpose of assisting him in any investigation under this section.

(2) Notwithstanding anything to the contrary contained in section 235 of the Companies Act, 1956, the Investigating Authority may, at any time, and shall, on being directed so to do by the Appropriate Commission, cause an inspection to be made, by one or more of his officers, of any licensee or generating company and his books of account; and the Investigating Authority shall supply to the licensee or generating company, as the case may be, a copy of his report on such inspection.

(3) It shall be the duty of every manager, managing director or other officer of the licensee or generating company, as the case may be, to produce before the Investigating Authority directed to make the investigation under sub-section (1), or inspection under sub-section (2), all such books of account, registers and other documents in his custody or power and to furnish him with any statement and information relating to the affairs of the licensee or generating company, as the case may be, as the said Investigating Authority may require of him within such time as the said Investigating Authority may specify.

(4) Any Investigating Authority, directed to make an investigation under sub-section (1), or inspection under sub-section (2), may examine on oath any manager, managing director or other officer of the licensee or generating company, as the case may be, in relation to his business and may administer oaths accordingly.
PART XIV

OFFENCES AND PENALTIES

Section 135. (Theft of Electricity): --- ¹[1][1] (1) Whoever, dishonestly, --

(a) taps, makes or causes to be made any connection with overhead, underground or under water lines or cables, or service wires, or service facilities of a licensee or supplier as the case may be; or

(b) tampers a meter, installs or uses a tampered meter, current reversing transformer, loop connection or any other device or method which interferes with accurate or proper registration, calibration or metering of electric current or otherwise results in a manner whereby electricity is stolen or wasted; or

(c) damages or destroys an electric meter, apparatus, equipment, or wire or causes or allows any of them to be so damaged or destroyed as to interfere with the proper or accurate metering of electricity,

(d) uses electricity through a tampered meter; or

(e) uses electricity for the purpose other than for which the usage of electricity was authorised,

so as to abstract or consume or use electricity shall be punishable with imprisonment for a term which may extend to three years or with fine or with both:

Provided that in a case where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use -

(i) does not exceed 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction the fine imposed shall not be less than six times the financial gain on account of such theft of electricity;

(ii) exceeds 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction, the sentence shall be

¹ Subs. by Act 26 of 2007, Sec. 13 (w.e.f. 15th June 2007).
imprisonment for a term not less than six months, but which may extend to five years and with fine not less than six times the financial gain on account of such theft of electricity:

Provided further that in the event of second and subsequent conviction of a person where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use exceeds 10 kilowatt, such person shall also be debarred from getting any supply of electricity for a period which shall not be less than three months but may extend to two years and shall also be debarred from getting supply of electricity for that period from any other source or generating station:

Provided also that if it is proved that any artificial means or means not authorized by the Board or licensee or supplier, as the case may be, exist for the abstraction, consumption or use of electricity by the consumer, it shall be presumed, until the contrary is proved, that any abstraction, consumption or use of electricity has been dishonestly caused by such consumer.

(1A) Without prejudice to the provisions of this Act, the licensee or supplier, as the case may be, may, upon detection of such theft of electricity, immediately disconnect the supply of electricity:

Provided that only such officer of the licensee or supplier, as authorized for the purpose by the Appropriate Commission or any other officer of the licensee or supplier, as the case may be, of the rank higher than the rank so authorised shall disconnect the supply line of electricity:

Provided further that such officer of the licensee or supplier, as the case may be, shall lodge a complaint in writing relating to the commission of such offence in police station having jurisdiction within twenty four hours from the time of such disconnection:

Provided also that the licensee or supplier, as the case may be, on deposit or payment of the assessed amount or electricity charges in accordance with the provisions of this Act, shall, without prejudice to the obligation to lodge the complaint as referred to in the second proviso to this clause, restore the supply line of electricity within forty-eight hours of such deposit or payment.]
(2) ¹[Any officer of the licensee or supplier as the case may be,] authorized in this behalf by the State Government may --

(a) enter, inspect, break open and search any place or premises in which he has reason to believe that electricity ²[has been or is being,] used unauthorisedly;

(b) search, seize and remove all such devices, instruments, wires and any other facilitator or article which has been, or is being, used for unauthorized use of electricity;

(c) examine or seize any books of account or documents which in his opinion shall be useful for or relevant to, any proceedings in respect of the offence under sub-section (1) and allow the person from whose custody such books of account or documents are seized to make copies thereof or take extracts therefrom in his presence.

(3) The occupant of the place of search or any person on his behalf shall remain present during the search and a list of all things seized in the course of such search shall be prepared and delivered to such occupant or person who shall sign the list:

Provided that no inspection, search and seizure of any domestic places or domestic premises shall be carried out between sunset and sunrise except in the presence of an adult male member occupying such premises.

(4) The provisions of the Code of Criminal Procedure, 1973, relating to search and seizure shall apply, as far as may be, to searches and seizure under this Act.

Section 136. (Theft of electric lines and materials): --- (1) Whoever, dishonestly --

(a) cuts or removes or takes away or transfers any electric line, material or meter from a tower, pole, any other installation or place of installation or any other place, or site where it may be rightfully or lawfully stored, deposited, kept, stocked, situated or located including during transportation, without the consent of the licensee

¹ Subs. by Act 26 of 2007, Sec. 13 for the words “Any officer authorized” (w.e.f. 15th June 2007)

² Subs. by Act 57 of 2003, Sec. 5 for the words “has been or is being or is likely to be” (w.e.f. 27th January, 20004).
section 137, or section 138, on his conviction for such abetment, may also be cancelled by the licensing authority:

Provided that no order of such cancellation shall be made without giving such person an opportunity of being heard.

Explanation.– For the purposes of this sub-section, “licencing authority” means the officer who for the time being in force is issuing or renewing such licence or certificate of competency or permit or such other authorisation.

Section 151. (Cognizance of offences):

No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made by Appropriate Government or Appropriate Commission or any of their officer authorized by them or a Chief Electrical Inspector or an Electrical Inspector or licensee or the generating company, as the case may be, for this purpose.

1[Provided that the court may also take cognizance of an offence punishable under this Act upon a report of a police officer filed under section 173 of the Code of Criminal Procedure, 1973:

Provided further that a special court constituted under section 153 shall be competent to take cognizance of an offence without the accused being committed to it for trial.]

2[151A. For the purposes of investigation of an offence punishable under this Act, the police officer shall have all the powers as provided in Chapter XII of the Code of Criminal Procedure, 1973.

151B. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under sections 135 to 140 or section 150 shall be cognizable and non-bailable.]

Section 152. (Compounding of offences): --- (1) Notwithstanding anything contained in the Code of Criminal Procedure 1973, the Appropriate Government or any officer authorized by it in this behalf may accept from any consumer or person who committed or who is reasonably suspected of having committed an offence of theft of electricity punishable under this Act, a sum of money by way of compounding of the offence as specified in the Table below:

1 Ins. by Act 26 of 2007, Sec.15 (w.e.f. 15th June 2007).
2 Ins. by Act 26 of 2007, Sec.16 (w.e.f. 15th June 2007).
TABLE

<table>
<thead>
<tr>
<th>Nature of Service</th>
<th>Rate at which the sum of money for Compounding to be collected per Kilowatt(KW)/ Horse Power(HP) or part thereof for Low Tension (LT) supply and per Kilo Volt Ampere(KVA) of contracted demand for High Tension (HT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
</tr>
<tr>
<td>1. Industrial Service</td>
<td>twenty thousand rupees;</td>
</tr>
<tr>
<td>2. Commercial Service</td>
<td>ten thousand rupees;</td>
</tr>
<tr>
<td>3. Agricultural Service</td>
<td>two thousand rupees;</td>
</tr>
<tr>
<td>4. Other Services</td>
<td>four thousand rupees;</td>
</tr>
</tbody>
</table>

Provided that the Appropriate Government may, by notification in the Official Gazette, amend the rates specified in the Table above.

(2) On payment of the sum of money in accordance with sub-section (1), any person in custody in connection with that offence shall be set at liberty and no proceedings shall be instituted or continued against such consumer or person in any criminal court.

(3) The acceptance of the sum of money for compounding an offence in accordance with sub-section (1) by the Appropriate Government or an officer empowered in this behalf empowered in this behalf shall be deemed to amount to an acquittal within the meaning of section 300 of the Code of Criminal Procedure, 1973.

(4) The Compounding of an offence under sub-section (1) shall be allowed only once for any person or consumer.
## OFFENCES AND PENALTIES UNDER THE ELECTRICITY ACT, 2003

<table>
<thead>
<tr>
<th>Offences</th>
<th>Section</th>
<th>Punishment</th>
<th>Cognizable/Non-cognizable</th>
<th>Compoundable/Non-compoundable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theft of electricity</td>
<td>135</td>
<td>Imprisonment for a term which may extend to three years or with fine or with both: Provided that in a case where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use - (i) does not exceed 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction the fine imposed shall not be less than six times the financial gain on account of such theft of electricity; (ii) exceeds 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity; in the event of second or subsequent conviction, the sentence shall be imprisonment for a term not less than six months, but which may extend to five years and with fine not less than six times the financial gain on account of such theft of electricity.</td>
<td>Non-cognizable</td>
<td>Compoundable (But only once for any person or consumer)</td>
</tr>
<tr>
<td>Theft of electric lines and materials</td>
<td>136</td>
<td>Imprisonment for a term which may extend to three years or with fine or with both. (2) If a person, having been convicted of An offence punishable under subsection (1) is again guilty of an offence punishable under that sub-section, he shall be punishable for the second or subsequent offence for a term of imprisonment which shall not be less than six months but which may extend to five years and shall also be liable to fine which shall not be less than ten thousand rupees.</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>Receiving stolen property</td>
<td>137</td>
<td>Imprisonment of either description for a term which may extend to three years or with fine or with both</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>Offence</td>
<td>Section No.</td>
<td>Penalty</td>
<td>Cognizable</td>
<td>Compoundable</td>
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<td>------------------------------------------------------------------------</td>
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<tr>
<td>Unauthorized interference with meters or works of licensee</td>
<td>138</td>
<td>Imprisonment for a term which may extend to three years, or with fine which may extend to ten thousand rupees, or with both, and, in the case of a continuing offence, with a daily fine which may extend to five hundred rupees</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>Negligently wasting electricity or injuring works</td>
<td>139</td>
<td>Fine up to ten thousand rupees</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>Maliciously wasting electricity or injuring works</td>
<td>140</td>
<td>Fine up to ten thousand rupees</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>Extinguishing Public lamps.</td>
<td>141</td>
<td>Fine up to two thousand rupees</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>non-compliance of directions by Appropriate Commission</td>
<td>142</td>
<td>Penalty, which shall not exceed one lakh rupees for each contravention and in case of a continuing failure with an additional penalty which may extend to six thousand rupees for every day during which the failure continues after contravention of the first such direction</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>Non-compliance of orders or directions</td>
<td>146</td>
<td>Imprisonment up to three months or with fine up to one lakh rupees, or with both in respect of each offence and in the case of a continuing failure, with an additional fine which may extend to five thousand rupees for every day during which the failure continues after conviction of the first such offence</td>
<td>Non-cognizable</td>
<td>Non-compoundable</td>
</tr>
<tr>
<td>Offences by companies</td>
<td>149</td>
<td>Person in charge of and was responsible to company is to be punished.</td>
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<tr>
<td>Abatement</td>
<td>150</td>
<td>Punishment is as provided for offence committed.</td>
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</tbody>
</table>
Record of theft related information
## Records of Theft Information

<table>
<thead>
<tr>
<th>Sr. no</th>
<th>Letter no./mail /call received date</th>
<th>Details of theft informer</th>
<th>Details of theft information</th>
<th>Authorized officer nominated to initiate the action</th>
<th>Detail result of site inspection with Date</th>
<th>Assessment Amt. with details</th>
<th>Recovery Amt. with details</th>
<th>Remark</th>
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Government of Maharashtra Gazette
Notification indicating delegation of Powers to MSEDCL Officers
COMMERCIAL CIRCULAR No. 46

Sub : Authorization of employees of the MSEDCL to perform various functions under the Electricity Act 2003.


With reference to the above subject, all field officer are informed that Government of Maharashtra has issued Gazette Notification (Copy enclosed) as referred above for authorizing the Officers/Employees of the Maharashtra State Electricity Distribution Company Ltd. to performed various mandatory functions i.e Assessing Officer under Section 126, power to investigation/search /seizer under Section 135 of Electricity Act, 2003.

All field officer are requested to take a note of the Gazette Notification to deal the cases effectively.

Chef Engineer (Commercial)

To,
The All Chief Engineer, MSEDCL.
The All Superintending Engineer, MSEDCL.
The All Executive Engineer, MSEDCL.
The All Dy. Executive Engineer, MSEDCL.
The All Asstt. Engineer, MSEDCL.
विद्युत अधिनियम,
2003

उद्धोग, कर्मचारी व कामगार विभाग,
मंत्रालय, मुंबई-400 032
दिनांक :- 29 सप्टेम्बर 2006

अधिसूचना

विद्युत अधिनियम-2003/प्र.क्र. 477(2)/कर्मा-3 :- विद्युत
अधिनियम, 2003 (2003 चा 36) च्या कलम 135 च्या उप
कलम (2) अनुसार येथील कारणांत आलेल्या अधिकाराचा
अधिक त्याचा समाधान करणार्या (या सर्व सातार्थे) दापर करून आणि
दौन शासक अधिसूचना, उद्धोग, कर्मचारी व कामगार विभाग, क्र.
आयर्स, 2003/प्र.क्र. 135/कर्मा-4, दिनांक 31 जून 2004
( महाराष्ट्र शासन राज्यात, असाधारण, भाग चार-ए च्या
अनुक्रमे गृहाळ कार्यक्रम 339 ते 340 आणि 344 ते 345 वर
प्रसिद्ध इलेक्ट्रिक) अधिक्रियात करून महाराष्ट्र शासन
यांच्यांना सांबंधित अनुष्ठानाची लष्ट्रीय सिद्ध (3) मध्ये नमूद केलेल्या
विदेश अन्तर्जातीय अधिकार-स्वतंत्रता कार्यक्रमाची सिद्ध (2) मध्ये नमूद
केलेल्या अधिकार-स्वतंत्रता व्यवस्था संबंधित वीज पुरवठा केलेल्याचे
रक्षा अनुरूपीय सिद्ध (4) मध्ये विनिर्दिष्ट केलेल्या वीज
ग्रहणांत, प्रवर्षांत उक्त कलम 135 च्या उप कलम
(2) च्या वंद (अ) व (ब) खालील रुपांतर वापर
करण्यासाठी आपल्याकडे सर्विस दिली आहे.
<table>
<thead>
<tr>
<th>अनुक्र.</th>
<th>आर.कर.</th>
<th>वितरण</th>
<th>वोन प्राधिकारी</th>
</tr>
</thead>
<tbody>
<tr>
<td>(१)</td>
<td>(२)</td>
<td>(३)</td>
<td>(४)</td>
</tr>
</tbody>
</table>

१. उप अभियंता/कैनिट अभियंता (उप विभाग कार्यालय)/विशेष पाक्षिक कैनिट अभियंता/सहायक अभियंता म.स.वि.वि.कें.मर्यादित्या संबंधित क्षेत्राच्या संचालन व सुधारस्थिती उप कार्यकारी अभियंता/भारती पाक्षिक (दक्षता व सुरुवात) कार्यकारी अभियंता आणि उप कार्यकारी अभियंता/म.स.वि.वि.कें.मर्यादित्या संबंधित क्षेत्राच्या संचालन व सुधारस्थिती कार्यकारी अभियंता आणि म.स.वि.वि.कें.मर्यादित्या वाणिज्यिक गुप्तवारी शाखेच्या उप कार्यकारी अभियंता आणि कैनिट अभियंता

भारती पाक्षिक (दक्षता व सुरुवात) कार्यकारी अभियंता आणि उप कार्यकारी अभियंता/कैनिट अभियंता/अधिवक्तिकी अभियंता/म.स.वि.वि.कें.मर्यादित्या संबंधित क्षेत्राच्या संचालन व सुधारस्थिती मुख्य अभियंता आणि म.स.वि.वि.कें.मर्यादित्या वाणिज्यिक गुप्तवारी शाखेच्या उप कार्यकारी अभियंता आणि कैनिट अभियंता

२. उप विभाग कार्यालयाच्या उप कार्यकारी अभियंता, कार्यकारी अभियंता, सहायक अभियंता, सहायक अभियंता (दक्षता पाक्षिक), मुख्य-प्रवर्तक इलेक्ट्रॉनिक को-ऑप.लोग.विभ.वे उप कार्यकारी अभियंता (वाणिज)।

मुख्य-प्रवर्तक इलेक्ट्रॉनिक को-ऑप.लोग.विभ.वे उप कार्यकारी अभियंता (वाणिज)। प्रकाश्य अभियंता आणि कार्यकारी संचालक

(स्थानीय सांसाधक)

मुख्य-प्रवर्तक इलेक्ट्रॉनिक को-ऑप.लोग.विभ.वे उप कार्यकारी अभियंता (वाणिज)। प्रकाश्य अभियंता आणि कार्यकारी संचालक

(स्थानीय सांसाधक)
3. रिलायंस एनजी लिमिटेडच्या उप रिलायंस एनजी सर्व ग्राहक व्यवस्थापकाच्या दर्जा प्राप्त कर्ती दर्जा नसलेले रिलिमिटेड अधिकारी

4. टाटा पॉवर कंपनी लिमिटेडच्या वरिष्ठ व्यवस्थापक टाटा पॉवर कंपनी सर्व ग्राहक (टीपीसी)

5. विभागीय अभियंता, वाणिज्यिक (दक्षिण), बृहन्मुंबई विभाग सर्व ग्राहक (टीपीसी), शासनाचे सचिव (ऊंची)

महाराष्ट्रमध्ये राज्यपाल यांच्या आदेशानुसार व नांवाने,

(ड्रॉ: भवानी सहाय) शासनाचे सचिव (ऊंची)

प्रति,

व्यवस्थापक, शासकीय मुद्रागालय, चार्टी रोड, मुंबई, यांना विभागीय कार्यालय भेटी की, सदर अधिकृत राज २६.९.२००६ व्यवस्थापक अधिकृत भाग ४-अ मध्ये प्रविष्ट करून अधिसूचनाच्या १०० प्रती व विभागांसाठी पाठविली.

(उ.ए. थोर्से) शासनाचे उप सचिव

प्रति:- सचिव, महाराष्ट्र विभाग नियम आयोग, मुंबई

सहसाधिक, केंद्र शासन, विभाग मंत्रालय, रामसागर भवन, संती मार्ग, नवी दिल्ली १०००१.

प्रधान सचिव, सार्वजनिक दंडकाम विभाग, मंत्रालय मुंबई २०००३२.

मुख्य अधिकृत (विभाग), मुंबई, सं. वा. वि., चेंबूर (पूर्व), मुंबई-४०२

व्यवस्थापकीय संचालक, महाराष्ट्र राज्य विभाग मंडळ सूचनार्थ कंपनी मर्यादित, प्रकाशगाड, बांदे (पूर्व), मुंबई-४०००५.

व्यवस्थापकीय संचालक, महाराष्ट्र राज्य विभाग वितरण कंपनी मर्यादित, प्रकाशगाड, बांदे (पूर्व), मुंबई-४०००५.
उद्योग, ऊर्जा व कामगार विभाग,
मंत्रालय, मुंबई-४०० ०३२,
दिनांक :- २६ सप्ताहर २००६

अधिसूचना

विद्युत अधिनियम,
२००३

क्रमांक आयर्स-२००६/प्र.क्र.४७७(२)/ऊर्जा-३ :- विद्युत अधिनियम, २००३ (२००३ चा ३६) च्या कलम १३५ च्या उप कलम (२) अन्वेषण प्रसार करण्यात आलेल्या अधिकाराचा आणि त्यास समर्थ करणा-या सर्व राष्ट्रीय वापर करून आणि शासन अधिसूचना, उद्योग, ऊर्जा व कामगार विभाग, क्र. आयर्स-२००३/प्र.क्र.१३५६/ऊर्जा-४, दिनांक २२ जुन २००४ ( महाराष्ट्र शासन राजपत्र, असाधारण, भाग चार-ए च्या पृष्ठ क्रमांक ३४४ ते ३४५ वर प्रसिद्ध झालेली ) अधिक्रमित करून महाराष्ट्र शासन यादरे सोबतच अनुसूचीतील स्तंभ (३) मध्ये नमूद केलेल्या वितरण अनुसूचीधारक कंपनीच्या स्तंभ (२) मध्ये नमूद केलेल्या अधिका-यांना त्यांच्या संबंधित बीज पुरवठा केलेल्या पासून कलम १३५ च्या उप कलम (२) च्या खंड (क) खालील राष्ट्रीय वापर करण्यासाठी प्राधिकृत करित आहे.
<table>
<thead>
<tr>
<th>(२)</th>
<th>(३)</th>
</tr>
</thead>
<tbody>
<tr>
<td>१. म.र.चिविको.मर्यादित्यचा भारती (दक्षिण व महाराष्ट्र राज्य सुरु) पर्यावरण कार्यकारी अधिकारी व उप कार्यकारी अभियंतयाच्या दर्ज्येपेक्षा कमी दर्जें बिध्द वितरण नसलेले अधिकारी आणि विशेष पर्यावरण कार्यकारी अभियंता आणि वाणिज्यिक गुंतवणूच्या अधिकारी भरोसेचे उप कार्यकारी अभियंता आणि कर्नाटक अभियंता।</td>
<td></td>
</tr>
<tr>
<td>२. उप विभाग कार्यालयात उप कार्यकारी अभियंतयाच्या कमी दर्जें नसलेले अधिकारी; मुंबई-मुंबई ओपरेटिंग ओपरेटिंग सोसायटी महाराष्ट्र, औरंगाबाद (एमपीईवीएसएल)</td>
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</tr>
<tr>
<td>३. हिलायन्स एनी लिंटन्ड्स अतिरिक्त हिलायन्स एनी व्यवस्थापकाच्या दर्ज्येपेक्षा कमी दर्जें नसलेले लिंटन्ड्स अधिकारी</td>
<td></td>
</tr>
<tr>
<td>४. टाउन पॉवर कंपनी लिंटन्ड्स अतिरिक्त टाउन पॉवर कंपनी व्यवस्थापकाच्या दर्ज्येपेक्षा कमी दर्जें नसलेले (टीपीसी)</td>
<td></td>
</tr>
<tr>
<td>५. अधिकारी बिध्द वितरण प्राधिक आणि विभागीय बृहन्मुंड मित्तु वितरण अभियंतयाच्या दर्ज्येपेक्षा कमी दर्जें व परिवहन उपक्रम नसलेले अधिकारी</td>
<td></td>
</tr>
</tbody>
</table>

महाराष्ट्र: राजस्थान दांव्या आदेशानुसार व नांवाने,

(डॉ. भागवत सहाय) शासनाचे सचिव (कर्मी)
प्रति,—

व्यवसाप, शासकीय मुद्रणालय, चन्नी सेट, मुंबई, यांना विनंती करण्यात येते की, सदर अधिसूचना दिनांक २६.९.२००६ च्या असाधारण राजपत्र भाग ४-अ मध्ये प्रसिद्ध करण्यासाठी अधिसूचनेचे १०० प्रती या निर्माणासाठी पाठवावायात.

(ड. शं. भाईटे)
शासनाचे उप सचिव

प्रतिसाधन, महाराष्ट्र विद्युत नियन्त्रण आयोग, मुंबई
सहसाधन, कॅंस्ट्रेंट शासन, विद्युत मंत्रालय, श्रमसंगठन भवन, सकाळी मार्ग, नवी दिल्ली ४१०००९.
प्रमाण सचिव, सार्वजनिक बंधकाम भवन, मंत्रालय मुंबई ४०००६२.
मुख्य अभियंता (विद्युत), मुंबई, सां. वां. चिकित्सक विद्युत, मुंबई-६२
व्यवसायिक संचालक, महाराष्ट्र राज्य विद्युत मंडल सूचना कंपनी मराठी, प्रकाशगंगा, वांदे (पूर्व), मुंबई-४०००५.
व्यवसायिक संचालक, महाराष्ट्र राज्य विद्युत विद्युत वितरण कंपनी मराठी, प्रकाशगंगा, वांदे (पूर्व), मुंबई-४०००५.
व्यवसायिक संचालक, महाराष्ट्र राज्य विद्युत निर्मिती कंपनी मराठी, प्रकाशगंगा, वांदे (पूर्व), मुंबई-४०००५.
व्यवसायिक संचालक, महाराष्ट्र राज्य विद्युत परीक्षण कंपनी मराठी, प्रकाशगंगा, वांदे (पूर्व), मुंबई-४०००५.
कार्यालयांसाठी संचालक, तिमुठा-प्रवर इलेक्ट्रिक को-ऑपरेटिंग सोसायटी लिमिटेड, श्रीरामपुर जिल्ल्यात-अहमदनगर.
अध्यक्ष व व्यवसायिक संचालक, रिलायंस एनर्जी लिमिटेड, रिलायंस सेंटर, सांतकुल (पूर्व), मुंबई-४०००५.
व्यवसायिक संचालक, टाटा पोवर कंपनी मराठी, बाॅंबे हाउस, मोदी स्ट्रीट, मुंबई-४०००२.
महायवसायिनी, ब्रिटिश मुंबई विद्युत पुरीवर अप्रिय परिसरानुपर्य, वेस्ट भवन, वेस्ट मार्ग, कूलागाव, मुंबई-४०००२.
सर्व विद्युत निरीक्षक, उड्डोग ऊर्जा व कामगार विभाग
महायवसायिनी, महाराष्ट्र जनसंस्थान संचालनालय, मंत्रालय, मुंबई-३२. यांना विनंती करण्यात येते की, सदर अधिसूचना शासनाच्या वेब साइट वर तसेच स्थानिक वृत्तपत्रात प्रकाशित करून प्रसिद्ध केली.
रजः कसोटील, सर्व कार्यालयात, निवड नसी (ऊर्जा-३)

347706(3)Notfn003 - ३ -
अधिसूचना
क्रमांक आय.वि.-२००६/प्र.क्र.४७७(१)/ऊर्जा-३ :- विज्ञापन अद्धिलित यम, २००३ (२००३ चा ३६) चा कलम १२२ अन्वये प्रदान करण्यात आलेल्या अधिकाराच्या आणि त्यास सम्बन्धी करण्याय यास सर्व शासकीय वापर करून अग्र शासन अधिसूचना, उदय, क्र. आय.वि.-२००३/प्र.क्र.१३५/ऊर्जा-४, दिनांक ३० ऑक्टोबर २००३ (महाराष्ट्र शासन राज्य, असाधारण, भाग चार-अ च्या पृष्ठ क्रमांक ६८७ ते ६८८ वर प्रसिद्ध ज्ञातली) अधिकारिक करणे महाराष्ट्र शासन यादृच्छिक सोकात्या अनुसूचित लंबा (२) च्या मभूमी केलेल्या महाराष्ट्र राज्य विज्ञापन वितरण कंपनीने (यानांतर ज्या उल्लेख "सदर वितरण कंपनी" असा करण्यात आले आहे) अधिका-यांना सदर वितरण कंपनीने वीज पुनर्गठित क्षेत्राच्या सदर अनुसूचित लंबा (३) मध्ये नमूद केलेल्या वीज प्राधिकांच्या प्रवर्तनांवर उल्लेख कलम १२६ खालील राक्षसीचा वापर करण्याच्या प्रयोजनार्थ "निर्धारण अधिकारी" महणून पदनिर्देशित करित आहे:

<table>
<thead>
<tr>
<th>अनुसूची</th>
<th>अभिकारी</th>
<th>वीज प्राधिकांचा प्रवर्ता</th>
</tr>
</thead>
<tbody>
<tr>
<td>१. सहायक अभियंता/उप कार्यकारी अभियंता/उप कार्यकारी अभियंता (भारतीय पत्त) संचालन व सुविधाजनक कार्यकारी अभियंता</td>
<td>लादवर ग्राहक</td>
<td></td>
</tr>
<tr>
<td>२. अधिकारी (भारतीय पत्त) संचालन व सुविधाजनक कार्यकारी अभियंता</td>
<td>उच्चदर्श ग्राहक</td>
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</tr>
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</table>

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांदने,

(डॉ. भगवान सहू) ने
शासनाचे सचिव (ऊर्जा)

प्रति,

व्यवस्थापक, शासकीय पुस्तकालय, चन्द्र रोड, मुंबई, यांना किंतु करण्यात येते की, सदर अधिसूचना दिनांक २८.९.२००६ वर आसाधारण राज्यपाल भाग ४-अ मध्ये प्रसिद्ध करून अधिसूचनेच्या १०० वरील व विभागाच्या पाठ्यावरायत.

(डॉ. भगवान सहू)
शासनाचे उप सचिव
**NOTIFICATION**

**Electricity Act, 2003**  
No. IEA 2006 / CR 477(2) / NRG-3 : In exercise of the powers conferred by sub-section (2) of Section 135 of the Electricity Act, 2003 (36 of 2003) and of all other powers enabling it in that behalf, and in supersession of the two Government Notifications, Industries, Energy and Labour Department, No. IEA.1003/CR-1356/NGR-4 dated the 21st June 2004 (published at page Nos. 341 to 342 and 346 to 347, respectively, in the Maharashtra Government Gazette, Extraordinary, Part IV-A, dated the 21st June 2004), the Government of Maharashtra hereby authorises the officers mentioned in column (2) of the Schedule appended hereto, of the Distribution Licensees mentioned in column (3) thereof, to exercise the powers under Clauses (a) and (b) sub-section (2) of said Section 135, within the respective area of supply of electricity; in respect of the category of electricity consumers specified in column (4) of the said Schedule.

**SCHEDULE**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Officers</th>
<th>Distribution</th>
<th>Category of electricity consumers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sub Engineer/Junior Engineer (Section Office)/Junior Engineer of Special Squad/Assistant Engineer/Deputy Executive Engineer from Operation and Maintenance of concerned area of MSEDCL/Executive Engineer &amp; Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security)/Executive Engineer from Operation and Maintenance of concerned area of MSEDCL and Deputy Executive Engineer &amp; Junior Engineer Commercial Intelligence units of MSEDCL. Executive Engineer &amp; Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security)/Executive Engineer/Superintending Engineer/Chief Engineer from Operation and Maintenance of concerned area of MSEDCL and Deputy Executive Engineer &amp; Junior Engineer Commercial Intelligence units of MSEDCL.</td>
<td>Maharashtra State Electricity Distribution Company Limited</td>
<td>Low Tension consumers</td>
</tr>
</tbody>
</table>

347706NotfnC002
2. Deputy Executive Engineer, Executive Engineer of Sub-Division Office, Assistant Engineer, Assistant Engineer (Vigilance Squad), Deputy Executive Engineer (Testing)) of MPECSL.

3. The Officer not below the rank of Deputy Manager of Reliance Energy Limited

4. Senior Manager (Consumers Relation) of Tata Power Company Limited

5. Divisional Engineer, Commercial (South), Divisional Engineer, Commercial (North), Superintendent Electric Consumer (South), Superintendent Electric Consumer (North) and Divisional Engineer (Vigilance) of BEST.

By order and in the name of the Governor of Maharashtra,

( Dr. Bhagwan Sahai )
Secretary to Government

To,

The Manager, Government Press, Charni Road, Mumbai. He is requested to publish the said Notification in Extra-ordinary Gazette part 4-A and return 100 copies of the print to this Department.

( U. S. Bhoite )
Deputy Secretary to Government of Maharashtra
NOTIFICATION

Electricity Act, 2003

No. IEA 2006 / CR 477(3) / NRG-3 .- In exercise of the powers conferred by sub-section (2) of Section 135 of the Electricity Act, 2003 (36 of 2003) and of all other powers enabling it in that behalf, and in supersession of the Government Notification, Industries, Energy and Labour Department, No. IEA.1003/CR-1356/NRG-4, dated the 21st June 2004 (published at page Nos. 346 to 347, in the Maharashtra Government Gazette, Extraordinary, Part IV-A, dated the 21st June 2004 ), the Government of Maharashtra hereby authorises the officers mentioned in column (2) of the Schedule appended hereto, of the Distribution Licensee mentioned in column (3) thereof, to exercise the powers under clause (c) sub-section (2) of said Section 135, within their respective area of supply of electricity.

SCHEDULE

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Officers</th>
<th>Distribution Licensee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Officers not below the rank of Executive Engineer &amp; Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security) and Junior Engineer of Special Squad and Deputy Executive Engineer &amp; Junior Engineer Commercial Intelligence units of MSEDCL.</td>
<td>Maharashtra State Electricity Distribution Company Ltd.</td>
</tr>
<tr>
<td>2.</td>
<td>The Officers not below the rank of Deputy Executive Engineer of Sub-Division Office, Deputy Executive Engineer (Testing) and Assistant Engineer of (Vigilance Squad) of MPECSL.</td>
<td>The Mula-Pravara Electric Co-operative Society Limited, Shriram-nur (MPECSL)</td>
</tr>
<tr>
<td>3.</td>
<td>The Officer not below the rank of Additional Manger of Reliance Energy Limited</td>
<td>Reliance Energy Limited</td>
</tr>
<tr>
<td>4.</td>
<td>The Officer not below the rank of Additional Manger of Tata Power Company Limited</td>
<td>Tata Power Company Limited (TPC)</td>
</tr>
<tr>
<td>5.</td>
<td>The Officer not below the rank of Superintendent Electric Consumer and Divisional Engineer (Vigilance ) of BEST.</td>
<td>The BrihanMumbai Electric and Transport Undertaking (Best)</td>
</tr>
</tbody>
</table>

By order and in the name of the Governor of Maharashtra,

( Dr. Bhagwan Sahai )
Secretary to Government
NOTIFICATION

Electricity Act, 2003

No. IEA-2006/C. R. 477 (1) / NRG - 3: In exercise of the powers conferred by section 126 of the Electricity Act, 2003 (36 of 2003) and of all other powers enabling it in that behalf, and in supersession of the Government Notification, Industries, Energy & Labour Department, No. IEA.1003/C.R.1356/NRG-4, dated the 30th October 2003 (published at page No.689 in the Maharashtra Government Gazette, Extraordinary, Part IV-A, dated the 30th October 2003), the Government of Maharashtra hereby designates the officers of the Maharashtra State Electricity Distribution Company Limited (hereinafter referred to as "the said Distribution Company") mentioned in column (2) of the Schedule appended hereto to be the "Assessing Officers" for the purposes of exercise of the powers under said section 126, within the area of supply of electricity of the said Distribution Company; in respect of the category of electricity consumers mentioned in column (3) of the said Schedule.

SCHEDULE

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Officers</th>
<th>Category of Electricity Consumer</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
</tr>
<tr>
<td>1.</td>
<td>Assistant Engineer / Deputy Executive Engineer / Deputy Executive Engineer (Flying Squad) / Executive Engineer from Operation &amp; Maintenance of concerned area</td>
<td>Low Tension Consumers</td>
</tr>
<tr>
<td>2.</td>
<td>Superintending Engineer / Chief Engineer from Operation &amp; Maintenance of concerned area.</td>
<td>High Tension Consumers</td>
</tr>
</tbody>
</table>

By Order & in the name of Governor of Maharashtra.

( Dr. Bhagwan Sahai)
Secretary to Government
The Manager, Government Press, Chami Road, Mumbai. He is requested to publish the said Notification in Extra-ordinary Gazette part 4-A and return 100 copies of the print to this Department.

( U. S. Bhoite )
Deputy Secretary to Government of Maharashtra

Copy:
- The Secretary, Ministry of Power, Govt. of India, Shram Shakti Bhavan, Rafi Marg, New Delhi-110 001.
- The Joint Secretary, Ministry of Power, Govt. of India, Shram Shakti Bhavan, Rafi Marg, New Delhi-110 001.
- The Secretary, MERC, World Trade Centre, Centre No.1, 13th floor, Cuffe parade, Colaba, Mumbai-400 005.
- The Principal Secretary, Public Works Department, Mantralaya,Mumbai-400 032.
- The Chief Engineer (Electrical), Mumbai, Public Works Department, Chembur (E), Mumbai-400 072.
- Managing Director, Maharashtra State Electricity Board Holding Company Limited, prakashgad, Bandra (East), Mumbai-400 051.
- Managing Director, Maharashtra State Electricity Distribution Company Limited, prakashgad, Bandra (East), Mumbai-400 051.
- Managing Director, Maharashtra State Electricity Generation Company Limited, prakashgad, Bandra (East), Mumbai-400 051.
- Managing Director, Maharashtra State Electricity Transmission Company Limited, prakashganga, Bandra (East), Mumbai-400 051.
- Chairman & Managing Director, Reliance Energy Ltd, Reliance Centre, Santacruz, (East), Mumbai-400 055.
- The General Manager, BEST, BEST Bhavan, BEST Marg, Mumbai-400001.
- The Managing Director, Tata Power Company Ltd., Bombay House, Homy Modi Street, Mumbai-400 001.
- Executive Director, The Mula-Pravara Electric Co-operative Society Ltd, Shrirampur, Dist- Ahamadnagar.
- All Electrical Inspector, Industries, Energy and Labour Department
- Director General, Information and Public Relation, GOM, Mantralaya. He is requested to publish the said Notification on GOM Web-site & also in local Newspaper for publicity.
- All Desks (Energy Section), I. E. & L. D.\Select File (NRG-3)
Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400 005.
Tel. No. 022 22163964/65/69 – Fax 022 22163976
E-mail mercindia@mercindia.org.in
Website: www.mercindia.org.in

In the matter of
Providing authority to disconnect supply line of electricity in accordance with the first proviso to Section 135 (1A) of the Electricity Act, 2003 as inserted by The Electricity (Amendment) Act, 2007 (No. 26 of 2007).

Dr Pramod Deo, Chairman
Shri A. Velayutham, Member
Shri S.B.Kulkarni, Member

ORDER
Dated: August 13, 2007

In exercise of the powers conferred under the first Proviso of sub-section (1A) of Section 135 of the Electricity Act, 2003 (36 of 2003) as inserted by The Electricity (Amendment) Act, 2007 (No.26 of 2007), the Maharashtra Electricity Regulatory Commission hereby authorises the following officers mentioned in the Schedule appended hereto of the Distribution Licensees and supplier mentioned in column (3) thereof, to exercise the powers under the first proviso of sub section (1A) of said Section 135 to disconnect the supply line of electricity, within the respective area of supply of electricity; in respect of the category of electricity consumers specified in column (4) of the said Schedule.

Schedule

<table>
<thead>
<tr>
<th>Serial No. (1)</th>
<th>Officers (2)</th>
<th>Distribution Licensee / Franchisee (3)</th>
<th>Category of Electricity Consumers (4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Sub Engineer / Junior Engineer (Section Office) / Junior Engineer of Special Squad / Assistant Engineer / Deputy Executive Engineer from Operation and Maintenance of concerned area of MSEDCL / Executive Engineer and Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security) / Executive Engineer from Operation and Maintenance of concerned area of MSEDCL and Deputy Executive Engineer and Junior Engineer Commercial Intelligence Units of MSEDCL.</td>
<td>Maharashtra State Electricity Distribution Company Ltd.</td>
<td>Low Tension Consumers</td>
</tr>
<tr>
<td></td>
<td>Executive Engineer &amp; Deputy Executive Engineer of Flying Squad (Vigilance &amp; Security) / Executive Engineer / Superintending Engineer / Chief Engineer from Operation and Maintenance of concerned area of MSEDCL and Deputy Executive Engineer &amp; Junior Engineer Commercial Intelligence units of MSEDCL.</td>
<td></td>
<td>High Tension Consumers</td>
</tr>
<tr>
<td>No.</td>
<td>Position and Company Details</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Deputy Executive Engineer, Executive Engineer of Sub-Division Office. Assistant Engineer, Assistant Engineer (Vigilance Squad), Deputy Executive Engineer (Testing) of MPECS. Deputy Executive Engineer (Testing), Project Engineering Executive Director of MPECS. The Mula Pravara Electric Co-operative Society Ltd. Shrirampur (MPECSL).</td>
<td>Low Tension Consumers</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Junior Engineer, Engineer, Deputy Manager, Additional Manager, Manager, Senior Manager. Senior Engineer, deputy Manager, Additional Manager, manager, Manager, Senior Manager.</td>
<td>Low Tension Consumers</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Senior Manager (Consumers Relation) of Tata Power Company Limited.</td>
<td>All Consumers</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Sub-Engineer, Deputy Engineer and Assistant Engineer. Superintendent, Divisional Engineer.</td>
<td>LT Consumer</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Assistant General Manager, Manager and Assistant Manager, equivalent executives from MSEDCL Employees taken on Deputation. M/s Torrent Power Ltd. Ahmedabad on behalf of MSEDCL.</td>
<td>All Consumers</td>
<td></td>
</tr>
</tbody>
</table>

Sd/- (S.B. Kulkarni) Member  
Sd/- (A. Velayutham) Member  
Sd/- (Dr. Pramod Deo) Chairman

(P.B. Patil) Secretary, MERC
Method of Assessment in case of Theft of Electricity
ANNEXURE TO COMMERCIAL CIRCULAR NO. 133 DATE 15/02/2011

ANNEXURE-A

GUIDELINES TO BE FOLLOWED IN RESPECT OF METHOD OF ASSESSMENT OF ELECTRICITY CHARGES PAYABLE IN CASE OF THEFT OF ELECTRICITY

1) Inspection of electrical installation:–

1.1 Inspection of any electrical installation shall be carried out by authorized persons notified by GoM under Electricity Act 2003 section 135(2) and this person may,

a) enter, inspect, break open & search any place or premises in which he has reason to believe that electricity (has been or is being) unauthorized used;

b) search, seize and remove all such devices, instruments, wires & any other facilitator or article which (has been or is being), used for unauthorized use of electricity;

c) examine or seize any books of account or documents which in his opinion shall be useful for or relevant to any proceedings in respect of the offence under sub- section(l) and allow the person from whose custody such books of account or documents are seized to make copies thereof or take extracts there from in his presence'.

1.2 The Inspection team shall be well equipped with all portable testing equipments like energy calibration meter (accucheck meter) duly calibrated from authorized agency, tong tester, preferably having features of measurement of load, voltage, current & power factor, MRI , etc. & other required Tools & Protective Devices.

1.3 During the inspection of the installation, the size of the service cable, capacity of the meter, condition of meter, Potential Transformers & Current Transformers should be recorded clearly and same should be considered in mind while doing the assessment of consumption of electricity.

1.4 Slowness of a meter may be considered for assessment purpose. However, Assessment shall not be carried out purely & only on the basis of accuracy error of the meter, especially when the meter is abnormally slow or fast ( more than 70% slow/fast).

1.5 The inspection shall be carried out carefully & judiciously & no further immediate re-inspection shall be carried out, for revision of assessed bill.

2) Method of Assessment.

2.1 High Tension Consumers

2.1.1 DEMAND CHARGES: For the purpose of assessment of maximum demand for the month, Contract Demand or 60% of the actual Connected Load found at the time of inspection, whichever is higher, shall be taken as Maximum Demand and billed accordingly;
2.1.2 **ENERGY CHARGES:** The quantum of energy consumption of the **Industries** shall be determined as follows:

a) Single Shift Working: Assessed MD in kW X 7 Hours X 25 Days X L.F  
b) Two Shift Working: Assessed MD in kW X 14 Hours X 25 Days X L.F  
c) Three Shift Working: Assessed MD in kW X 21 Hours X 25 Days X L.F.

While calculating the energy charges for other consumer categories working in general shifts, commercial establishments, etc., the working hours & working days should be considered as per actual, e.g. For Continuous Industries, Bedded Hospitals, the working hours shall be considered as 24 hours & working days shall be considered as 30 days.

2.1.3 **LOAD FACTOR:** For Assessment of energy consumption during the period of theft of electricity, appropriate "Load Factor" as given here below shall be considered:

<table>
<thead>
<tr>
<th>TYPE OF INDUSTRY</th>
<th>LOAD FACTOR %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power Intensive Industries, like Steel Plants, Ferro Alloys Industries, Cold Storages,</td>
<td>80</td>
</tr>
<tr>
<td>Textile / Dyeing Industries, IT / ITES Industries</td>
<td>60</td>
</tr>
<tr>
<td>All other Industries, including Hotel Industries</td>
<td>40</td>
</tr>
</tbody>
</table>

(Note: For seasonal industries like Ice Factories commercial circular no. 129 dated 15/4/91 shall be refereed)

These load factors to be considered unless a higher load factor can clearly be proven

2.2 **LOW TENSION CONSUMERS:**

2.2.1 **FIXED CHARGES / DEMAND CHARGES:** In case of consumers who are not billed under LT MD Tariff, for the purpose of the assessment of "Fixed Charges" for the month, actual connected load at the time of inspection shall be taken as Sanctioned Load and billed accordingly. However, when the consumer detected in theft of electricity, is billed under LT MD Tariff, for the purpose of assessment of maximum demand for the month, Contract Demand or 60% of the actual Connected Load found at the time of inspection, whichever is higher, shall be taken as Maximum Demand and billed accordingly;

2.2.2 **ENERGY CHARGES:** The quantum of energy consumption shall be determined as follows:

Assessed Consumption = Connected Load found at the time of inspection in kW (or Assessed MD in kW if consumer is billed under LT MD Tariff) X Diversity Factor X Load Factor X Working Hours per Day X Number of Days in a Month;
2.2.3 The Diversity Factor, Load Factor, Working Hours per Day, Number of Days in a Month, etc. for the different categories of the consumers shall be as given below:

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>Sub-category</th>
<th>L. F. X D. F. %</th>
<th>WORKING HOURS PER DAY</th>
<th>NUMBER OF DAYS PER MONTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic</td>
<td>Lights &amp; Fans</td>
<td>25</td>
<td>24</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Heating &amp; cooling equipments</td>
<td>50</td>
<td>As per actual working hours</td>
<td>30</td>
</tr>
<tr>
<td>Non-Domestic</td>
<td>Shops</td>
<td>50</td>
<td>10</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Malls</td>
<td>50</td>
<td>10</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Office establishments</td>
<td>50</td>
<td>8</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Other category like hospitals, school, etc</td>
<td>50</td>
<td>As per actual working hours</td>
<td>As per actual</td>
</tr>
<tr>
<td>General Motive Power (LTP-G) &amp; Others</td>
<td></td>
<td>60</td>
<td>7 per Working Shift or 10 for General Shift</td>
<td></td>
</tr>
</tbody>
</table>

3) GENERAL GUIDELINES:

In respect of both, Low Tension as well as High Tension consumers, following guidelines shall be given judicious consideration while determining the assessment vis-a-vis Energy Consumption, after verifying the documents & recording the reasons thereof.

3.1 Load Shedding;

3.2 Closure of Industry on account of Strike, Lock Out, etc;

3.3 Break Down of Equipment, viz. Transformer, Cables, etc;

3.4 Last through check - up by the concerned Testing Engineers, at the time of replacement of Meter / CTs./ PTs. ;

3.5 Inspection of Meter & Metering Equipment by the Flying Squad/O & M Staff;

3.6 Date of connection, date of Reduction/increase in Contract Demand and/ or Reduction/increase in Connected Load;

3.7 Purpose of connection & category of the prevailing tariff accordingly;

3.8 In case of Express or Group express feeder, the consumption of the substation or Check meter, subject to calibration of the meter.

-- SD---

Chief Engineer (Commercial)
Revised Compounding Charges
Sub: Revision of Compounding Charges.


With reference to above subject, all field officers are informed that Government of Maharashtra has issued Gazette Notification dated 14.05.2013 regarding revision of compounding charges.

The theft cases detected under Section 135 are compoundable as per Section 152 of the Electricity Act 2003. The offence under Section 135 is compoundable only once. Compounding of the offence is done if the accused show willingness to pay the civil liabilities and compounding charges.

The revised compounding charges as per Section 152 are as given below:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Nature of Service</th>
<th>Rate at which the sum of money for compounding to be Service collected per Kilowatt (kW) / Horse Power (HP) or part thereof for Low Tension (LT) supply and per Kilo Volt Ampere (KVA) of Contracted Demand for High Tension (HT) supply</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Previous Rates</td>
</tr>
<tr>
<td>1</td>
<td>Industrial</td>
<td>Twenty Thousand Rupees</td>
</tr>
<tr>
<td>2</td>
<td>Commercial</td>
<td>Ten Thousand Rupees</td>
</tr>
<tr>
<td>3</td>
<td>Agriculture</td>
<td>Two Thousand Rupees</td>
</tr>
<tr>
<td>4</td>
<td>Other</td>
<td>Four Thousand Rupees</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Revised Rates</td>
</tr>
<tr>
<td>1</td>
<td>Industrial</td>
<td>Ten Thousand Rupees</td>
</tr>
<tr>
<td>2</td>
<td>Commercial</td>
<td>Five Thousand Rupees</td>
</tr>
<tr>
<td>3</td>
<td>Agriculture</td>
<td>One Thousand Rupees</td>
</tr>
<tr>
<td>4</td>
<td>Other</td>
<td>Two Thousand Rupees</td>
</tr>
</tbody>
</table>

All are directed to follow the above instructions strictly. The revised compounding charges as per the above rates shall be recovered from the date of Government Notification i.e. 14.05.2013. The theft cases registered prior to Government Notification dated 14.05.2013 is to be dealt as per previous rates of compounding charges. The Other conditions for compounding of theft cases are as under:

a) The consumer or the person (accused) detected indulging in the "Theft of Electricity" can request for compounding of offences before the criminal complaint is lodged in the appropriate Court or even thereafter and the Officer of the Board so authorized by the State Government in this regard may consider the same, provided the consumer / person deposits a sum of money for compounding of offence at the rate as prescribed above.

b) It shall neither be obligatory nor binding on the Authorized Officer to permit compounding of offences in every case and such compounding of offense shall be permitted only after the consumer / person has unconditionally paid the assessed "Civil Liability".

c) Even after the consumer / person has unconditionally paid the assessed "Civil Liability", if the Authorized Officer has any objection for permitting the compounding of offences, he shall in writing submit his objections to the higher authority (in case of 0 & M personnel - Officer not below the rank of Executive Engineer & in case of Flying Squad units - Deputy Director) and shall
obtain orders from such authority as to whether the compounding of offence should be permitted or the criminal complaint should be further prosecuted.

d) If the consumer shows willingness to compound the offence, notice specifying assessment amount shall be issued immediately along with copies of Panchanama etc. After the payment of assessment amount, compounding charges bill has to be issued immediately. If the consumer pays the amount immediately, F. 1. R. shall not be filed, but F. 1. R. shall not be delayed if the consumer does not pay the amount of compounding and assessment for theft immediately.

e) The Authorized Officer shall maintain a separate register and shall make necessary entries in such register of all the cases where the consumer / person has requested in writing for compounding of offences by depositing the sum of money as per prescribed rate.

f) The facility of compounding of offences shall be permitted only once and therefore in all such cases, where the consumer has been permitted compounding of offences, necessary entry shall be taken on the "Consumer Personal Ledger" of such consumer so as to avoid such permission being given to a consumer on more than one occasion.

g) In respect of persons other than the consumers of the MSEDCL, a separate register for compounding of offences shall be maintained, so that the said register can be verified to ascertain whether such person has previously been permitted the facility of compounding of offences.

All field officers are requested to take due note of revised Compounding Charges and take necessary action accordingly.

Encl: Govt. Notification

Copy: As per mailing List.
राज्यातील जनपदाने केंद्रीय अधिनियमांने तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांना तिरक्त) नियम व आदेश.

उद्धोग, ऊर्जा व कामगार विभाग
मादाम कामा रोड, हुतात्मा राजगृह चौक, मंगळव, मुंबई ४०० ०३२, दिनांक १४ मे २०१३

अधिसूचना

विधिन अधिनियम, २००३.

क्रमांक संख्या २०१२/प्र.क्र. १२५६/ऊर्जा-५. — वीज अधिनियम, २००३ (२००३ वा ३६) हा महाराष्ट्र राज्यासाठी लागू असलेला, लायच्या कलम १५२ व्या पोट-कलम (१) व्या परतुकाद्वारे प्रदान करण्यात आलेल्या अधिकारांचा वापर करत, महाराष्ट्र शासन, याने उक्त अधिनियमाच्या शिष्यांत्र असलेल्या नोंदाच चौकीलाई अपणांच्या आपत्तिस्थापनेच्या व्या दररोगी करकम वसूल केली जाईल त्या, उक्त कलम १५२ व्या पोट-कलम (१) मधील तक्याच्या स्थळ (२) मध्ये विरोधित्यंत केलेल्या दररोगी पुढीलप्रमाणे सुचारूरण करता कायत आहे :—

वीज अधिनियम, २००३ (२००३ वा ३६) हा महाराष्ट्र राज्यासाठी लागू असलेला, लायच्या कलम १५२ मधील पोट-कलम (१) मधील
tकक्षांमध्ये,—

(एक) ऋणात्मक सेवा वाच्या संबंधातील नोंद १ मध्ये,—
स्थळ (२) मधील " वीज हजार रुपये " व मनकुरुएवजी " दहा हजार रुपये " हा मनकुर दाखल करण्यात येईल.
(दोन) बाराधिष्क सेवा वाच्या संबंधातील नोंद २ मध्ये,—
स्थळ (२) मधील " दहा हजार रुपये " व मनकुरुएवजी " पाच हजार रुपये " हा मनकुर दाखल करण्यात येईल.
(तीन) कृषिविज्ञान सेवा वाच्या संबंधातील नोंद ३ मध्ये,—
स्थळ (२) मधील " दोन हजार रुपये " व मनकुरुएवजी " एक हजार रुपये " हा मनकुर दाखल करण्यात येईल.
(चार) इतर सेवा वाच्या संबंधातील नोंद ४ मध्ये,—
स्थळ (२) मधील " चार हजार रुपये " व मनकुरुएवजी " दोन हजार रुपये " हा मनकुर दाखल करण्यात येईल.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

अधिवेशा सुभदर,
शासनाचे उप सचिव.

No. Misc.2012/C.R.1256/NRG-5.— In exercise of the powers conferred by the proviso to sub-section (1) of section 152 of the Electricity Act, 2003 (36 of 2003), in its application to the State of Maharashtra, the Government of Maharashtra hereby amends the rates specified in column (2) of the TABLE below sub-section (1) of the said section 152, at which the sum of money for compounding of an offence of theft of electricity punishable under the said Act shall be collected, as follows, namely:—

In section 152 of the Electricity Act, 2003 (36 of 2003), in its application to the State of Maharashtra, in sub-section (1), in the TABLE,—

(i) In entry 1, relating to Industrial Service, in column (2), for the words “twenty thousand rupees” the words “ten thousand rupees” shall be substituted;

(ii) In entry 2, relating to Commercial Service, in column (2), for the words “ten thousand rupees” the words “five thousand rupees” shall be substituted;

(iii) In entry 3, relating to Agricultural Service, in column (2), for the words “two thousand rupees” the words “one thousand rupees” shall be substituted;

(iv) In entry 4, relating to Other Services, in column (2), for the words “four thousand rupees” the words “two thousand rupees” shall be substituted.

By order and in the name of the Governor of Maharashtra,

AVINASH SUBHEDAR,
Deputy Secretary to Government.
Officer authorized to accept the sum of money for compounding of offences
आदेश

उद्योग, ऊजा व कामगार विभाग,
मंगलय, मुंबई-४०० ०३२.
दिनांक ०६.०४.२००४.

विद्युत कायदा, २००३

क्रमांक आयाम-२००३/सीआर ५४३/ऊजा-४७-विद्युत अधिनियम, २००३ (२००३ चा ३६) च्या कलम १५२ च्या उपकलम एक अन्यथा प्रदान करण्यात आलेल्या अधिकाराचा बाध्य बनल मानावे उक्त विद्युत अधिनियम, २००३ च्या कलम १२६ च्या उपकलम ६ मध्ये (ए) च्या व्ययीकरणानुसार प्रदान करण्यात आलेल्या अधिकाराचा बाध्य बनल मानावे वरीनवरी वेळेतील अधिकारात बदल आहे. क्रमांक आयाम २००३/सीआर ५४३/ऊजा-४७-विद्युत अधिनियम, २००३ च्या कलम १५२ च्या उपकलम ६ मध्ये (ए) च्या व्ययीकरणानुसार प्रदान करण्यात आलेल्या अधिकाराचा बाध्य बनल मानावे वरीनवरी वेळेतील अधिकारात बदल आहे.

महाराष्ट्रातील राजस्वाय्यात वाच्या आदेशानुसार व नांवाने.

--SD--
(जवळत कावळ) सचिव (ऊजा)

प्रति,

व्यवस्थापक, शासकोयश मानकीन मुद्रणालय, चन्नी गोड योना सदर अभियंता विभाग, च्या असाधारण राजकृत भाग ४ व मध्ये गृहस्थापन अधिनियम १०० प्रतिया विभागातून पाठविलेल्या विनियमाची विनियमादिरी रचावणे.

--SD--
(र.म.अवरत) शासनाचे डा सचिव (ऊजा)

प्रति: सचिव, कंड शासन, ऊजा मंगलय, अभियंता विभाग, चन्नी गोड योना सदर अभियंता विभाग, च्या असाधारण राजकृत भाग ४ व मध्ये गृहस्थापन अधिनियम १०० प्रतिया विभागातून पाठविलेल्या विनियमाची विनियमादिरी रचावणे.

सचिव, महाराष्ट्र विद्युत नियामक आयोग, मुंबई.
मुख्य अभियंता (विद्युत), सा.वा. च. चेंऱर (पूर्व), मुंबई-४०० ००२.
अभियंता, शिवाजी मंडळ, प्रकाश मंडळ, चंद्र (पूर्व), मुंबई-४०० ००२.
महाविद्यालय, नालमुळ एन्जिनियरिंग, सीक्रेटरीटाई, मुंबई.
महाविद्यालय, संचालक, बॅंक, बॅंक भवन, बॅंक मार्ग, मुंबई-४०० ००२.
व्यवस्थापिक संचालक, टाडा विद्युत कंपनी, बोम्बे हाउस, हेली मुंबई मार्ग, मुंबई-४०० ००२.
कार्यकारी संचालक, दि मुंबई प्रवर्तक इंजिनियरिंग कार्यक्रमातील संसाधन ता शीर्षासूण.
ऊजा कामातील सर्व कार्याची निवड नसती (ऊजा-४)
Consumer’s Compounding Request Application
विषय: वीज चोरी प्रकरणातील प्रावधानाच्या वीज कायदा-२००३ कलम १३५ अनवये घडलेल्या गुन्हांच्या तडजोड अर्जावाच्या मार्गदर्शक सूचना (तत्वे).

वीज चोरीची प्रकरणे हाताताताना असे निर्देशनास आले आहेत की, अनेक विकारी प्रावधानकडून घडलेला गुन्हा हा वीज चोरी करणार तांत्रिक विकार असावा. व्यवसायिक व्यवित्तित्ताने वीज बिल कधी कलम देण्याच्या प्रोत्साहनास बाजी पूर्ण घडलेला गुन्हा असतो. काही तांत्रिक जाणकारीपुर्ष्ठ व तांत्रिक शैक्षणिक वितरण कंपनींना अनौठा नुकसान होत आहे.

वीज चोरीचा कलम १३५ अनवये प्रथम गुन्हा असल्यास, तो तडजोडीस पात्र असून त्याचे अधिकार वितरण परवरण्याधिकार कंपनीयाच्या अधिकार्यांच्या राज्य शासनाने दिलेले आहेत. यामध्ये पहिल्यांदा गुन्हा करणार-पाच, गुन्हा कबूल असल्यास, हा गुन्हा निर्देशनास आणून देऊन तडजोडीच्या पर्यावरणाची एक संधी दिलेली आहे.

तसेच कलम १३८ अनवये वितरण परवरण्याधिकार कंपनी मोटरमध्ये अथवा कामाच्या हस्तस्थेप केल्यास घडणारास गुन्हा हा तडजोडीस पात्र नाही.

यावरुन असे सूचित होते की, मोटरमध्ये पैरफोर्म करणाराच्या व्यवसायाच्या गुन्हाच्या तांत्रिक मदतीने सावधान तडजोडीची कोणतीही तरुण कायद्यक नाही, कारण तांत्रिक मदतीने मदत हे वीज चोरीचे मूळ कारण आहे.

कायद्याच्या योग्य अंतर्लबवाणीसाठी गुन्हा कबूल करणाराच्या व्यापारी, प्राधान्याने वीज चोरी केली आहे, या पूर्वीच महामंडळ नेटवर्क गुन्हा काढणे पूर्व व वित्तीय तांत्रिक मदतीने केल्या व पहिल्यांदा केल्या किंवा कसे राखी सुदृढ माहिती प्राप्त करणे आवश्यक आहे.

सदर अर्ज हा राज्य शासनाने प्राधिकृत केलेल्या अधिकारासमोर करावाच्या असल्यास तो अर्ज म्हणजे शासनासमर्थ दिलेला कबूलनामे व तडजोड अर्ज असे गुणित धरते जाईल व तांत्रिक मदतीने विरोधात कलम १३८ अनवये कारवाई प्रस्तावित करून असल्या असल्या प्राधान्याच्या तडजोड चिन्हील नात्र करत येईल.

जर तांत्रिक मदतीने हा महावितरण कंपनीत नाच्यात कार्यरत कर्मचारी असेल आणि त्याच्यावर वीज चोरीचे मदत केलेल्या समवेत पूर्वांना असल्यास सदर कर्मचारी प्रचलित संवाहिनियम तसेच विचित्र वातावरण कायदा-२००३ अनवये कारवाईचे पात्र राहिल.

मुख्य अभियंता (वाणिज्य)

प्रत रवाना: प्रेषण यादीप्रमाणे.
लेखी प्रस्ताव

प्रति,
उपकारकारी अभियंता/अतिरिक्त कार्यकारी/अधिकांश अभियंता,
उपविभाग/फिरत पथक/मदल,
महावितरण, ____________.

विषय: विजयोरी प्रकरणातील विद्युत कायदा २००३, कलम-१३५ अन्यथा वीज चोरी गुन्हे प्रकरणी तडाजोडाबाबत.

महोदय,

मी ______________________________________________________________________ यादारे जाहिर करतो की, विजयोरी प्रकरणातील विद्युत कायदा -२००३, कलम-१३५ अन्यथा माइक्रो अखल्याचित असलेल्या विद्युत जोडणी क्र. __________ तपासणी केली असता त्या डिकारी विज चोरी होत असल्याचे आहे व ते मला मान्य आहे. सवर वीज चोरीच्या गुन्हे प्रकरणी तडाजोड करण्यास मी तयार आहे.

सदर प्रकरणात तडाजोड करावयाची माझी विनंती आहे. मी असे जाहिर करतो की,

अ) सदर वीज चोरीच्या गुन्हा हा पाहिला आहे/नाही.

ब) सदर वीज चोरी साठी मला ______________________________ यांनी तात्त्विक मदत / इतर केली आहे/होती.

क) तात्त्विक मदत केलेल्या व्यक्तिचा तपशिल:

नाव:__________________________ वय: __________
पता:__________________________ मोबाइल नं.:__________________________

इतर माहिती: __________________________________________________________________

ड) सदर वीज चोरी ______________________ पासून केली आहे.

इ) इतर माहिती __________________________________________________________________

उपरोक्त माहिती ही मी, स्वीकाराचे, कुलेच्या द्वारासाठी अन्धकार न पडता सादर करू असून ती सत्य आहे.

तरी वीज चोरी गुन्हे प्रकरणी निर्णायण रक्कम ₹. __________ तसेच तडाजोडची विनंती स्वीकारली माझ्या गुन्हाच्या तडाजोड करावी.

आपला

सही __________

ग्राहकाचे नाव -
ग्राहक क्र. ________________

सक्रम अधिकार्याचा निर्णय:- ____________
Format of Compounding Register
## Compounding Register

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Consumer Name</th>
<th>Consumer no</th>
<th>BU</th>
<th>Date of Inspection</th>
<th>DVS no/Spot inspection report</th>
<th>Theft bill Amt.</th>
<th>Theft bill receipt no. and Date</th>
<th>Compounding Amt.</th>
<th>Compounding Receipt no. and Date</th>
<th>Remark Paid/Unpaid</th>
<th>FIR No. &amp; Date</th>
</tr>
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</tbody>
</table>
Intimation of
Compounding information to SDOs
No.                                      Date:
To
The Sub. Division Officer,

...................

................

................MSEDCL

**Sub:** List of consumers who have compounded the offence of theft of electricity during the month of __________

1. With respect to above subject, the under mentioned consumers/persons have compounded the offence of theft of electricity during the month of_________ in accordance with Sec. 152 of Electricity Act. 2003.

<table>
<thead>
<tr>
<th>Sr.no</th>
<th>Consumer/Person name</th>
<th>Consumer no.</th>
<th>Billing Unit</th>
<th>Compounding Amt. (in Rs)</th>
<th>Receipt No. &amp; Date</th>
<th>FIR details, (if Lodged)</th>
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2. This is for your information & necessary action please.

(Authorized Officer)
MSEDCL,

-----------------------------

Copy to :-
The Superintending Engineer,
(for Circle Legal Officer)

.....................
Intimation of lodging of FIRs to Circle Legal Officer for information
To
The Superintending Engineer,
(for Circle Legal Officer )

Sub: Forwarding of information of consumers against whom FIR has been lodged during the month of __________.

1. With respect to the above subject, an action in accordance with Sec. 135 of E.A. 2003 was initiated against the under mentioned consumers/persons and FIRs were lodged against them due to non – compounding of offence. The details are as given below :

<table>
<thead>
<tr>
<th>Sr. no</th>
<th>Consumer name &amp; Address</th>
<th>Consumer no</th>
<th>Billing Unit</th>
<th>FIR no. &amp; Date</th>
<th>Police Station</th>
</tr>
</thead>
<tbody>
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</table>

2. This is for your information & necessary action please.

(Authorized Officer)
MSEDCL,
------------------------
Intimation of Compounding to Police Station of Theft Cases where FIR was lodged
fo"k; %oht p kjh or Mt \k k M jD de Hjy skr ekgfr h
J h --------------------------------------------- ¼ x dz ---------------------------------------------½

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e-j kfo-fo-d ae; kžn r ]
Provisional assessment bill for the case under section 126
Final bill for the case under section 126
I) Electrical Inspector – LT Low Voltage
II) SE, PWD – LT Middle Voltage
III) CE, Electrical - HT
Consumer Inspection Log book
# LOG BOOK

(To be kept in custody of Incharge of Office or Officer Designated)

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Date &amp; Time</th>
<th>Name of the Officer intending to Visit</th>
<th>Area/Particular consumer to Visit</th>
<th>Name of Persons accompanying from office including Panch witness, if any</th>
<th>Sign</th>
<th>Visit Diary No. and Entry No. in respect of that Visit</th>
<th>Whether Offence Chapter XII EA detected</th>
<th>Whether unauthorized use under Sec 126 EA is noticed</th>
<th>Brief Summary Report</th>
<th>Further action proposed/taken</th>
<th>Remarks</th>
<th>Sign</th>
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<td>Sr. No.</td>
<td>Date</td>
<td>Name &amp; Designation of Visiting Officer</td>
<td>Name of Consumer &amp; Consumer No. &amp; Address</td>
<td>Time in</td>
<td>Name of Person Present at the Time Entry in Consumer Premises</td>
<td>Signature of Person Present at the Time of Entry</td>
<td>Brief Result of Inspection</td>
<td>Time Out</td>
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Spot Inspection Format
# ANNEXURE- J

## “SPOT INSPECTION REPORT”

**AS PER THE PROVISIONS OF THE CONDITION NO. 24.2.1**

<p>| | |</p>
<table>
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<tbody>
<tr>
<td><strong>Place:</strong></td>
<td><strong>Date:</strong></td>
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<tr>
<td><strong>Location:</strong></td>
<td><strong>Time:</strong></td>
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1. Name/address/phone no. of the firm/factory/installation/premises.
2. Owner’s/Partner’s Name & Address
3. Consumer No.
4. Category of consumer/tariff applicable
5. a) Sanctioned load  
   b) Contract Demand  
   c) Connected Load
6. Type of installation and nature of processes/product
7. Normal working hrs/no. of shifts
8. Billing office
9. Details of Meter
   a) Metering provided on HT/LT side  
   b) Meter S.No./Lab.No.  
   c) Make and type  
   d) Capacity of meter-Amps/CT Ratio/PT Ratio  
   e) MD Range  
   f) Rev/kWh  
   g) Meter Reading  
   h) Scale factor of meter  
   i) Connected CTR, PTR  
   j) Overall M.F. for units/M.D.  
   k) MF as per MR6/G7
10. General observations
   a) Power cable before meter visible or not  
   b) CTPT cable visible/not visible and type  
   c) Type of seal  
   Seal No.
Condition of seal
Condition of isolating devices
Condition of meter box.
Other observations.

11 Irregularities observed

Usage of Electricity;

a) by any artificial means; or
b) by a means not authorized by the MSEDCL; or
c) through a tampered meter; or
d) for the purpose other than for which the usage of electricity was authorized; or
e) for the premises or areas other than those for which the supply of electricity was authorized.

12 Remarks
The above mentioned details and the irregularities pointed out have been checked in my presence and I agree with the same.

1) Signature of consumer or representative along with name, Designation and date.
   (In case of refusal of consumer/representative the Assessing Officer should record this fact in this column)

2) Name, signature & Designation of assessing officer

3) Witnesses 1) Name:

   Address:

   Sign:

   2) Name:

   Address:

   Sign:
Guidelines Regarding Panchnama
परिपत्रक

जाना/क्रम/द्वस्त/अंतर्गत/पंचनामा/3263

दिनांक १९.१०.२००६

विषय: चौरी प्रकरणीतील 'पंचनामा' बनविवेचावात सूचना.

विषयातील कायदा, २००३ हा १० जून २००३ पासून अंतर्गत आला असून, सदर कायदा तरतूडीनुसार शासनाने/म.स्टेट इंग्लिश लिंगातून ने व्याकरणाना अधिकृत केलेले आहे. ते अधिकारी चौरी चार्जी करणारे प्रावक/प्रवकती यांचे विषय पोलीसांकडे गुंडे नादद्वारे/न्यायालयात तक्तार दाखल करण्यावाच्याकरून तगात. सदर कायदाचित कराळाने, चौरी चार्जी सापडल तेथे 'पंचनामा' कारण जतून आहे. काही कोटें कसे मध्ये असे निदेशनात आलेल्या असा, पंचनामा योग्य प्रकारे केलेल्या नाही. सदर पंचनामा योग्य प्रकारे करण्यावाच्यात खालील सूचना देण्याच्या येत आहेत.

१) पंचनामाचे माणसे काय?
क) पंच व चॉक्सी अधिकारी यांनी घटनास्थली जे पाहिले व निर्देशन केले त्यायावरती लेखाने निर्देशनपत्रिका किंवा दस्तऐवज कायदेचे 'पंचनामा' होय. चॉक्सी अधिकारी व पंच यांनी त्यांच्या घटनास्थली निरीक्षण केल्यानंतर दौरी कालावधीनता त्याने प्रश्न न्यायालयात त्याच्या घटनासंबंधी साक्ष देण्याकरिता वाळवले जाते व कालावधीचा विचार करता, त्यांनी केलेल्या घटनास्थल प्रश्नपत्रातील विशेष कऱ्यासक वाहनात माहिती / मुळ विचार साक्षातीची शक्यता शक्यता असते. हे टाठणेकरिता पंचनामा तयार करता त्याचा वापर न्यायालयामध्ये साक्ष देताना करण्याचाच येतो.
ख) पुरावा मृणू 'पंचनामा' हा महत्त्वाच सरलता तरी पंक व चॉक्सी अधिकारी यांचेकडे असलेल्या पुरावास बघून मयूराण (ईंग्लिश एक्स्प्रेस एंड, कलम १५७) किंवा तकाळीन वस्तुस्थितीवर त्याल्या निरीक्षणाच्या आधाराने उदात्त देणा / आधाराने तात्पर्य करता त्याच्या न्यायालयामध्ये पुरावा मृणू संगीती कारिता निर्देशनपत्रिका मृणू पंचनामाची सांगणी करता निर्देशनपत्रिका मृणू पंचनामाचा वापर होतो. (कलम १५९ ईंग्लिश एक्स्प्रेस एंड)
ग) पंचनामा नेहमी (ईंग्लिश एक्स्प्रेस एंड कलम १५५ मध्येपासून नुसार असेच आवश्यक आहे. महानेश एखादी व्यक्ती तकाळीन घटना आधाराची केरत या मृणू पंचनामाचा उपयोग करावर असेल, तर ते पंचनामा एकतर त्यांनी घटना घडव्यानंतर तात्पर्य निर्देशन करता येते: लिहिलेला असला पाहिले, अथवा तो बनविवेचात स्वतः: बाहूनू तो बरोबर असलेली खासी केलेली असती पाहिले. यावरुन पंच हे शिक्षित/साक्षर असताची गरज असेल. कारण निर्देश/आशिषक पंच आधाराने उदात्त देण्याकरिता न्यायालयात पंचनामाचा उपयोग करा शकत नाही.  

२) पंचनामा - कायदेशीर इनामाचा
गुम्बारी प्रणाली संहिता (क्रिमिनल प्रोसीजर कोडक्या) कलम १०२ (मालमता जत तयार) व कलम १६५ (पोलीसांचे शोध काम) मध्ये पाहून तरतूडी शिवाय 'पंचनामा' सारख्या दस्तऐवज बनविवेचातील कायदेशीर मान्यता नाही. परंतु तपासाचे काम करताना पोलीस अधिकारी प्रयुक्त दफ्तार पंचनामा बनविवेचात.
क) पंचाना कशासाठी / कोणत्या कारणाकरीता बोलविवाह येत आहे. हे पंचाना अगोदर सुचीत करण्यात यावे.
ख) त्यांनी केलेल्या पाहणी व निर्देशनांसंबंधी पुरावा देयकरीता नंतर त्यांना न्यायालयात साधू देणे आवश्यक असे नर, निर्देशन अल्पतं काळजीपूर्वक करण्यासाठी पंचाना सांगावे.

3) पंचनामातील मजकूर
क) पंचनामा असे शिर्षक देऊन पंचनामासाठी सुरुवात करावी.
ख) पंचांच नाव, वाहिनीत नाव, आडवित, व्यव, थंडा, राहण्याचा पत्ता इ. नमूद करावे.

4) प्रस्तावना:
क) पंचाना कोणत्या कारणासाठी बोलविले, महणेच जागेची / स्थानाची तपासणी आणि कोणी बोलविले याचा उल्लेख करावा.
ख) सुरुवातीला / प्रस्तावन किंवा माहिती, साधना आहेत नंतर उपलब्ध करावे येणे वाचविटी विशेषज्ञांची ख्याती माहिती दाखवा. पंचाना अस्तित्व तयार गोड, नीटनेट्याची असाच कोणतीही मुळ न वाचवला येऊन येणे केलेला अवयव, जसे घटना घडवलेला स्थळ/देखभाल यांची तपासणी, मालमता दाखविलेला, अभिप्रेत अविचार करणे (आयर्दोडीपिकेजन) तपासणीसाठी वाचविवृती करावे. तयार आहे काही नोंद करावे तरी लोकांची चौकऱ्या व निर्देशन (आठवणी पुर्ण तथ्या कारण अर्थात एक विषयात वाचवला येणे) यांचा परिणामसाठी वाचविठ कार्यालयाने आणि त्यांचा चौकऱ्या आधार देयकरीता व संघटना आयोगांशी साधू देयकरीता प्राप्तयुक्तने कि: नमु: संघटना/वाचविटी विश्वास असलेल्या व्यक्ती येंदा व तोडी (न्यायालयातील साधू) पुरावा महत्त्व उपयोग करून व्यक्त्यासाठी वस्त्रपुरावा देयकरीचे पत्ता दिलेल्या विवरणाचा उपयोग करणे उचित दर्शवे.

5) आदर्श/उक्तकृत पंच कसे असावेत.
क) ज्या विधानणा वर्तूनच पाहणी / निर्देशन करावावेला आहे, त्या लगताच वस्ती मधील/परिसरातील आदर्शाची व स्वतंत्र विचारासाठी व्यक्तीची पंच ह्यांना बोलविले. तयारच चौकऱ्या अधिकांक घडविलेल्या दिक्कनाचे चौकऱ्या व्यक्तिकाच्या महत्त्वाच्या वस्त्रपुरावाची लेखके वस्ती साधू व स्वतंत्र गवावी, पक्ष यांची अनेकांक असलेल्या स्वतंत्र पंच व त्या विधानणी मिट्टमाण काही असे व्यक्ती बाटविल्यासून दुर्भाष्य विकाशाचे पंच घडू शकतात.
ख) पंच हे 1) हुशार, शक्ततो लिहिता वाचता येणारे, सुशिक्त व समाननीय असावे.
   2) कि:पक्षपाती, चरित्र व पूर्वजयसाह आक्षेपांसाठी सांगावे.
   3) पूर्वी दोषी / शिक्षा ज्ञानसाठी सांगावे.
   4) स्वतंत्र गवावी/पक्ष यांची संबंध सांगावे स्वतंत्र असावेत,
   5) मानावे व आधिक अथवा इतर मार्गांने प्रभावित होणारी शक्तता सांगाये असावेत.
   6) व शारीरिक व्यक्ती नसलेले असावेत.
   7) शाहिजु नसलेले किंवा मालक-नोकर, कर्न देणारे-पेणारे इ. परस्पर संबंध नसलेले
असावेत।
8) फक्त संपत्ति, सामाजिक स्थान, यांचा विचार करून समानांनात प्रमाणित करू नये।
9) तत्कालीन जागीरदार मालक व संबंधित याना, पंच महून निवडणे उचित नाही।
10) विविध कंपनीचे कंट्राक्टदर किंवा हितसंबंधी लोकांना पंच महून नेमू नये।
11) व्यक्तिगत व खेती बोलणा-या धंगल प्रत्येक या ध्येयाचे पंच महून नेमू नये।
12) ध्येयाचे पंचांग पंचांचे काम वारार वारण्यासाठी पंच महून नेमू नये, तत्परीत योग्य पंच कसे
निवडणारे याचे तारामध्ये विचार पंचांनी चौकशी अधिकारी निर्णय घेऊ शकतात।

6) पंचांची कठवणे:
1) त्यांची काच निर्दिष्ट केलेल्या पंचांच ते फक्त साहींदार असतात।
2) ते पंचनामाया सुरुवातीपूर्वे शोध पर्यत हजर असावेत।
3) तात्त्विक माहिती संबंधित निर्देश तक्ताअसंथाप पंचनामायांसाठी त्याचा उल्लेख
4) चाचणी केल्याची पद्धत व तपासणी वापरण्यास आलेले उपकरण यांचा सुदृढ पंचनामायात उल्लेख करावा।
5) पंचनामा लिहिण्यानंतर अथवा तयार केल्यानंतर पंचांकडून किंवा पंचांना बाचून दाखवण्यास आणे त्यांने बाचन ज्ञात्यानंतर त्यांची केल्याचा निर्देशनांमुळे अभूष करा व बरोबर आणे खरे वर्णन असत्याचे कबूल केल्यानंतर पंचांना सही करण्यासाठी सांगिते।
6) पंचनामा लिहिण्या-या व्यक्तीयेच नावाचा उल्लेख करून त्यांची सही घायवी। पंचनामात लेखने केल्या व पूर्ण ज्ञात्याचा वेळ (पंचनामा लिहिण्यास लागलेल्या फक्त वेळेचा उल्लेख न करता) यांचा उल्लेख करून पंचनामाची तारीख, ठिकाण इ. ची हो नौदव व
7) शेषपत्ती ज्ञा अधिका-यांसारं पंचनामा ज्ञाला त्यांना तो संकेतकित (ऑंटेस्टेड) करावे।
8) पंचनामा विशिष्ट मनात /लक्ष्य ठेवण्याचे सामान्य मुद्रे।
9) पंचनामा त्याच्याची आणि तपासणीचे ठीकाणीच लिहावा।
10) पंचनामा अपवादात्मक व असामान्य परिस्थिती मध्येच रात्री करू शकता।

संवादाध्ययन पंचनामा दिसता (सूर्योदयाच्या सूर्योदयाच्या) करण्यात यावा।
11) पंचनामा लिहिण्या पाई करू नये कारण पंचनामाची कच्ची व पकडू प्रत असे भाग नसून प्रत्येक प्रकरणात /
कामात एकथा पंचनामा लिहिण्यात येतो।
12) पंचनामा हुशारीने / सुनाचा, बिनचूक व वसूल आळक्याचा क्रमाने सलगण्याचे लिहावा।
13) पंचनामा लिहिण्या खाडा-खोडू ज्ञाला कमीत कमी दोन पंचांनी त्या ठिकाणी संकेत स्वाभावी करावे।
14) पंचनामा कोण लिहू शकतो।
पंच स्वत: किवा कोणीही साक्षर / लिहिता वाचता येणा-या व्यक्तीस त्या कामाकर्ता बोलावू शकतो. परंतु जेन्हा ब-या चेक पंच अर्थात्त त्यावेळी तेथील चौकारी अधिकारी किंवा त्यांचा हाताखाली काम करणारा कर्मचारी / अधिकारी पंचनामा लिहू शकतो।

9) पंचनामा लिहून घेण्यास कोण सांगू शकतो?
   पंचांनी काय पाहिले व निरूपण केले याबाबत त्यांनी स्वत: पंचनामाचा मजकूर लिहून घेण्यास सांगावे.

10) पंचनाम्यात काय नसावे?
    पाहिलेली वस्तुस्थिती व त्यावेळी निरूपण यांची क्रमवारीने केलेली नावं पंचनाम्यात असल्याने त्यामध्ये खालील मुद्दा समावेश नसावा.

क) स्थौकारी/प्रतिमाह असलेल्या मुद्दाव्यतिरिक्त दोषी व्यक्तीने गुन्हा कबूल केल्या संबंधी किंवा आरोप केल्यावास्तव पर दोषी व्यक्ती जबाबदार समावेश नसावा किंवा।

ख) पंच आणि संबंधित अधिकारी यांचा पुरावसंशेषीच्या साक्षीमध्ये प्रतिमाह असलेल्या किंवा प्रसंगीचित मुद्दांची एकमत असलेल्या जबाबदारव्यतिरिक्त इतर व्यक्तीचे जवळ यांचा समावेश नसावा उदा. जेंका मालमता धारण करणारा मालक, नेमकी ती च मालमता स्वतच आहे असे सांगावे.

ग) पंच किंवा चौकारी अधिकारी यांचा मलांना पंचनामाच्ये बिलकुल स्थान नाही.

11) पंचनामा कसा सिद्ध करावान?
    जर एकाधा पंचनामाच्या जोडी पुरवास सिद्ध करावाच्या हाे सिद्ध ना होता तर एकाूण पंचांपेक्षा एकस विटेस वॉकसमध्ये साक्षीदार महणून बोलत्याने जाते व त्याला घटनेचा ठिकाणी संबंधित अधिका-यांचे पाहण्या / निरूपणाकरीता बोलताने होते किंवा कसे? तर्काच्या मुद्दा तलाव आयणा होता किंवा कसे? तलावीन परिस्थितीचा पंचनामा बनविला होता का? आणि त्याच्या सर्वत्रो असल्याचे कबूल तो त्यावेळी तयार केलेला पंचनामा आहे का?
    आणि त्यातील मजकूर बरोबर आहे किंवा कसे याबाबत साक्षीदारांमध्ये विवाचले जाअे त्यानंतर पंचनामा पुरवावा महणून ग्राह्य घरला जातो.

12) नमुनादाखल तयार केलेल्या पंचनामाच्यी प्रत माहिती व मार्गदर्शनाकरिता सोबत जोडली आहे.

संबोध: वरील प्रमाणे.

Sd

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अ)
ब) नांव

व)

धन्दा

रा ठिकाणा

1) नारायण रामचंद्र गांगौर

2) रामचंद्र मधुकर काठे

क)

बरीन पंचास मी खाली सही करणार श्री. नामदेव परशुराम सभूर, उप कार्यकारी अधिवेशन, फिरते फायदे, पूर्ण प्राप्ति विभाग, यांनी राज्यांमध्ये आफ्नों वेळा बांधकर व कडीने को, पूर्ण सर्वांगे पंच राज्य २००९, या ठिकानी राहणारे श्री. कुमारजी माधव कोठेकर, हे व्यापक आर्थिक करणार प्रयास करता आहेत. अशी खालीलकार वातने मिळतात आहेत. तयांनी तुम्ही आपणे बवळीकर समय हजर राहुन परिस्थिती पाहून, त्या परिस्थितीत व्यापार निर्माण या. असे संगीते बरीन पंचास मी च हात उपयोग मह.गटे.इंलेट.डिकॉनी हे जोपाने गुरुवारपंच २००९ या ठिकाणी हजर बाळो. इतर सेवक श्री. मह.टेक्स्ट इंलेट.डिकॉनी हे जोपाने गुरुवारपंच २००९ या ठिकाणी हजर बाळो.

सदरचे घर नं. ५०५ रेखामो आकांक्षी परिवर्तनकारकल जल्लू आहे. ते पुरुषीभूमिता आहेत. धर्मसमर्पण महापालिकेचा रहस्यरूप सरता आहे. दक्षिण कोा. पार्श्वे धरणे ५०५ चा बाळा, पश्चिमांच्या मोठ्या भागावर व उत्तरेच्या श्री. गुजार बाळाचा घर नं. ५०५ चा बाळा आहे. सदर धर्मांची दक्षिणाखंड कोपुंचिकार स्टाफस्किक लाईटिंग लोकहाट खांब असून व्याव २०१३ अशा नंबर लिहिलेल्या आहेत.

सदर घरात जापान पुढील बाळांने करोडा आहे. त्यास तीन प्रतीकांची भिंत बांधलेल्या असून तिलोकर लाकडी पट्टांची जाती बस्तांवर आसून, तो बांधते आहेत. सदर दक्षिणाखंड आंत जल्लू एक लाकडी दराजाचा आहे. घरातील काळजी मध्ये उपयोगास उपलब्धतास असलेली त्यांनी बांधकडून असलेल्या दर उपलब्धास सोडलेली आहे. त्यांनी मोठ्याकार असलेल्या दर उपलब्धास लाकडीच्या आहेत. त्यांनी आकांक्षी व्याव ॲक्स्नस बेडवॉल लाईटिंग मिटरच्या तपासणी करायच्या आहे असे सांगितले. करोडा आहे. स्वत: हे हात दक्षिणाखंड आंत असतात. सामग्री धीरीत्या एक लाकडी मिटर बोर्ड बस्तांवर आहे. त्या बोर्डकडून २०१३ असा नंबर लिहिलेल्या आहेत. बोर्डवर बांधनेचा मिटर पाहिला असतात. व्याव संदर्भातील कंपनी कीमत ३५०२२ असा लिहिलेल्या असून मिटर रिहों ४६७९६ असे आहे. मिटर शेजारीचे त्याच्या लाकडी बोर्डवर एक १५ अंपरीचे काटआउट बस्तांवर आहेत.

घर मालक श्री. कोठेकर, यांचे प्रत्या एकुण चार खाण्या आहेत. व्याव एकुण चार दुर्लक्षित. तीन पंढे वर्गात आहेत. घरातील पंढे व दुर्लक्षित चालू करून मिटर तपासला असता. मिटरच्या कार्यकृती दिसणारी आतील गोल लक्षकडून फिरत नाही. त्यांचे पंढे आकार्यांनी ढेरून जात नाही किंवा मिटर बंद पडतलेला आहे. मिटरच्या वरील जाकडास बनती बाजूसून्हाच मिळतात असून ती शास्त्र आहे. परतु मिटरच्या खाली असलेल्या व्यावासाचे टोकाना असलेल्या जाकडास (म्हणजे मिटर टॉपिनाल क्लरसा) सिल्स दिसून येत नाही.

आकांक्षी व्यवळे मिटरच्या म्हाळोन बाजूसून्हा असलेला बायर तपासला असता. सदर घराता पंच नंबर २०१३ अशा काटचा १६५.४ मिलीमिटर जाकडीचा बायर बंधलेला आहे. सदर बायरच्या टोके मिटरचे कट आउट मध्ये खालील बाजून जाकडास म्हाळोन जाकडास म्हाळोन टोकेचे एकमेकांना पोल दुकून जाकडास आहेत क त्याच चिदकटपडून लाकडीली आहे. चिकटपडून काहून त्या खारस्थी बायराच्या जाकडासी टोकेसह टोकेसह तपासला असता. टेस्ट टेस्ट आहे. आकांक्षी व्यवळे जाकडास बाजूसून चालू आहे. असा प्रकारे बोर्ड मेन (फेन) बायर मिटरकडून जात आउटमध्ये गेलेल्या बायराच्या जाकडासी जाकडासी आहेत. त्यामुळे लाईटच चालू असताना त्याने विसर्जित व्याव करताना मिटरची गोल तब्बल किरत नसकताना दिसत आले आहे.

कट आउटचे बरीन बाजूसून ग्राहकाची पांडारी बायर बंधलेल्या असून ती ग्राहकाचे मेन स्वीचला जाकडासी आहे.
ल्यान्तर मिटरसे खालील बांच्ये झाकण शून्य पाहिले असताच. आतील चार खान पैकी डावीकरून शिक्षा व वोरी खाण रिकामी दिसत आहे. त्या डिकारणे कणात्याच वाणी नाही. दुसऱ्या खानेच कंपनीचं काळूंचा संगाचे झार खोल्या असून. ती सक्रिय फिट केलेली आहे. तिसरे खाण्यात ग्राहकाची पहुंच वाणी खोल्याने आहे. ती रुढी मिटर सॉफ्टवेयर तेस्त तपासली असताने टेस्टरसे पाहिले लागत नाही. त्यावरन त्या नूतन वाणी आहट असे दिसून आले आहेत.

ग्राहकाच्या पाहिले दशेच्या खालील आतील बाजूस ग्राहकाच्या लाकडी बोर्ड वसंतलेले आहे. त्यावर ग्राहकाचा मंद स्वीच, एक पल्ग व द 8 घटने आहेत.

वर नमुद केल्यावरमाणे सवयू ग्राहकाचे बोर्डचे मंद (फॅक्टर) वाणी मिटरला न जोडत हे जें गाड्याची बीज पुरवठा केला आहे. असलेन्याचे ग्राहक लबाहीच इशार्याने बीज वाणी करून आहे. व सदर्शु कृत्य बोर्ड चाचरी काण्याचा प्रकार असलेय दिसून आले आहेत.

वर नमुद केल्या ग्रामणात आहे. स्वतंत्र किराणारी रिडिंग व दर असली निरस्त्र काढत (ऑफ्सेवर्स शॉट) धरण तयार केलेले आहे. त्यावर आपल्या पंचांच्या सद्या आहेत. त्या तक्त्याच्यात एक प्रत वर मालक यांचा त्यांची कशी होणार देणं देण्यात आली आहेत.

वर नमुद असलेल्या पश्चिमीचा पोटों निर्माणार्थ डिकारणाला पेंटलेले आहेत. पंचनामयात नमुद असलेली पारस्परिक पृथिवी कायम होल्यांशी कायम बनेया कणासाठी जशीच्या तक्तीच कायम उक्त्यावने आली आहेत.

येथे ग्रामण उपस्थित तश्नीचा पंचनामा आज रोजी साहित्यकारी बरील पंचांचमं त्यांचे उपस्थितीत 5.00 वाजता पुढे कहून 7.00 वाजता पुढे केला आहे. पंचनामयातील मजबूत आमी स्वतः लिहिला असून, त्यावर पंचांचे सदा प्रेषण आत्मा आहेत.

ढ) सही: नाव, पृष्ठ, उप सार्वबोधनात, कार्याच्या अभिव्यक्तीत, फिरोज़ो मेक, पृष्ठ, पृष्ठ, पृष्ठ,

बरील पंचनामा मुरुगनाथपूजन शेवटपयाच आमाचे पंचांचमं आमाचा उपस्थितील लिहिला असून. त्यातील सर्व मजबूत बरील व खाद्य असल्याचे बाजून पाकाच्याला म्हणजे ल्यान्तर मजबूत केल्या आहेत.

ह) पंचांच्या सदा 1) मा. रा. पानारे, 2) प.र. वाढी.

फ) सदर्शु पंचनामाची तपासली मला मिळतील.

सही: क.मान, कोटपटक, लागुळ: २२.०६.२००६.
IPC Sections Relevant to Government Servants
<table>
<thead>
<tr>
<th>x</th>
<th>y</th>
<th>n</th>
<th>f' k' k''</th>
</tr>
</thead>
<tbody>
<tr>
<td>353</td>
<td>2</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>186</td>
<td>3</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>187</td>
<td>1</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>506</td>
<td>3</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>332</td>
<td>303</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
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<td>6</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>146148150</td>
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<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>174</td>
<td>6</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>175</td>
<td>1</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>177</td>
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<tr>
<td>179</td>
<td>6</td>
<td>0.0001</td>
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</tr>
<tr>
<td>180</td>
<td>3</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
<tr>
<td>183</td>
<td>6</td>
<td>0.0001</td>
<td>0.0000</td>
</tr>
</tbody>
</table>
Annexure – 18

Assessment Sheet Format
**ASSESSMENT SHEET**

Name of Consumer/owner __________________________________________

Name of User ____________________________________________________

Consumer no ________________  Mob. No___________

Billing Unit -

Address -

Tariff Category -

SVR No./DVS no. -

Sanction Load -

Connected Load -

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Equipment</th>
<th>Nos</th>
<th>Watt</th>
<th>Total</th>
<th>In KW</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
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<td>3</td>
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<td>4</td>
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<tr>
<td>5</td>
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<td></td>
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<tr>
<td>6</td>
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<tr>
<td>7</td>
<td></td>
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<td>8</td>
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<td>9</td>
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<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Load For Compounding - __________ KW/HP

<table>
<thead>
<tr>
<th>Assessment Unit</th>
<th>LF x DF</th>
<th>No. of Days</th>
<th>No. of Hours</th>
<th>Connected Load</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>L &amp; F Load</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Load</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Compounding Charges applicable - Rs. ________  Units Sum - ________

Assessment Period - ________( In Months / days )  Say - ________ Units/pm

Assessed Units - _______________ Units

Units For Theft Assessment (stolen units)- ____________ Units

U/S 135 of EA Act 2003

(Authorized Officer)
MSEDCL,
Theft Bill – Covering Letter
fo"k; %olt pkJhps ns d - J h ---------------------------------
1/4| q d k; nk 2003 e/ky d ye 135 ½

I a Hz%LFkG ri \w .kh v goky - d kal ------------ fn -

oj hy fo"k; wu qj v k i .w d Gfo.; kr &'; s sd hj fn - & & & & & j k e h v k i Y; k fon; q l nph r i k i .kh d y h v r k i & & & & & & & & & & & & & & & & & & i d k i ph olt pkJh d jr v l y; ks fun'k\w v ks r S; ke; & segkforj. k d a u h p; k olt &; k & & & & & & & & ; eq Vph pkJh > ky; ks m? Md H v kys v l q; \t r o : - & & & & & & ps fon; q d k; nk 2003 e/ky d ye 135 vUb; s olt pkJhps ns d v k i .k\h i knj d j.; kr; s v kgs

fo| q d k; nk 2003 ps d ye 152 i ek i st j l n j olt pkJhpi z kj v k i .w Mw i fg Y; kn ka ?My k v l y v f k. t j v k i .k\h a R; k cr r Mt km (Compounding) djko; kph v l y r j v k i .k egkforj. k d a u h p s ifji = d d z 264 i ek i s r Mt km k r p k y s k fo u h v t Z[ k y h l gh d j. k\a ; k Roj h l knj d jko f o| q d k; nk 2003 ps d ye 152 u w kj egl kV\w k ukus[ k y h l gh d j. k\a ; k olt pkJh i d j. k r r Mt km d jks o R; k cr r p h j D d e f lo d k.; k cr k i s /k/d r d gs v kgs

fo| q d k; nk 2003 ps d ye 152½ e/; s f n y Y; k fu; ek i ek i s oj hy u eq olt pkJhP; k fBdk k k h , d qk y k M & & & & & d MCY; q, o<k v l Y; kus l nj olt pkJh r Mt km j D d e (Compounding) # - & & & & & & g ks s; k h u k a ?; ko h

olt pkJhps ns d : - & & & & & & v k i .k Roj h u Hj Y; w v k i y fon; q i jo Bk [k Mr d y k t b\b r l o p olt pkJh ns d o r Mt km j D d e u Hj Y; k v k i .k fo: /n fon; q d k; nk 2003 u q kj l a kkr i ky H LVskue/; s x q k n k i ky dj.; kr ; b\b ; k ph u k a ?; ko h r j h v k i .k a fo u h d j.; kr ; s s d hj olt pkJhps ns d Roj h Hj k o s o R; kph i k h h; k d k; k\h; k l knj d: u egkforj. k d a u h l g d k; Z d j k os

1 k r & 1½ olt pkJhps ns d - e; k\h r

2½ r Mt km v t k h u e q k i z - & & & & & & & &
Intimation of Meter Replacement to SDO/SO
Dt. To, SO/SDO. MSEDCL, 

Sub. – Meter Replacement Report of

Mr./Mrs. __________________________ R/O __________________________
Consumer No. __________________________

1. With reference to the above subject, the connection of Mr./Mrs. __________________________, R/O __________________________ Consumer No. __________________________, Billing Unit _______ was inspected by the undersigned on dt.__________ and his meter No. _______ has been seized for further investigation. The meter replacement report of the above consumer is as under –

<table>
<thead>
<tr>
<th>Old Meter</th>
<th>New Meter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meter No. -</td>
<td>Meter No. -</td>
</tr>
<tr>
<td>Meter Make -</td>
<td>Meter Make -</td>
</tr>
<tr>
<td>Meter type – 1 ph./ 3 ph.</td>
<td>Meter type – 1 ph./ 3 ph.</td>
</tr>
<tr>
<td>Meter Reading -</td>
<td>Meter Reading -</td>
</tr>
</tbody>
</table>

2. Request necessary meter change action at your end.

(Authorized Officer)

MSEDCL, ---------------------------------
Intimation to Consumer and Meter Testing Lab In-charge regarding Meter Testing
To,  
(Testing Lab In-charge)  
_________________________  
_________________________  
_________________________  

Subject – Meter Testing in respect of  
Mr. /Mrs. __________________________________________  
Consumer No._________________  

With reference to the above subject, you are requested to undertake meter testing of Mr. /Mrs. __________________________________________, R/o. ___________________________ consumer no - ___________________________ and intimate results thereof. The consumer meter details are as under :-

Make -

Type -

Serial no-

Lab no -

Capacity -

Revolution -

Current Reading -

Impulse -

(Name of the Authorized Officer)  
(Authorized Officer)  
MSEDCL,  
_________________________
Intimation of Meter Testing Results to Consumer
egkj kVkJ kT; fon; q for j. k d a u h e; kzd

-----------------------------------------------

fn -

kZ h]
½ kgd kp s ko o i Rr k½

-----------------------------------------------

fo"k; & eHVj riW .kh v goky -

l a HZ& 1½

egk;} 
orh fo"k; k v u q: u v k potentially Gfo.ks ; s d h] v kY; k u k se j kfo-fo-d ae; kZ]
psfol q i goB k v l w R; kp k x kyd dz ----------------------------------------------- v l k v kgs l nj fo| q
i goB; k kbh c l foy Y; k elHj dz ----------------------------------------------- phr ikl .kh

----------------------------------------------- ; kah fn- ---------------- jks h d yh l nj eHVj rik .kh kbh
v k k d i a HZ i = dz 1 v ub; s d Gowgh v k v u qfLkr jkfgY; kus l nj eHVjph
rik .kh fn---------------- jks h ----------------okt r k---------------- ¼elHVj V&TLY y W½ ---------------------------------

----; rls i p b e{k d yh v l r k l nj eHVj l n ksk v l Y; kp s v kGw v kys eHVj rik .kh krypton
v goky i qy i e k ksk kgs; kph di; k uk a ?ks y h t koh gh fou ah

1-
2-
3-
4-
5-

v k y k fo' old wy

3/4
1/2

v f/kd r v f/kd k j h

e-j kfo-fo-d ae; kdn r]

-----------------------------------------------

iz

eHVj p kp .kh 'kk[ kk v f/kd k j h -----------------
Meter Testing Guidelines
COMMERCIAL CIRCULAR No. 39

Sub:- Procedure to be followed for assessment and filing of theft case where Consumer’s meter is found abnormally slow.

During routine inspection of meters some incidences of abnormal slowness of the meters was observed. However, no further investigation was carried out by the field staff. It is however, desired that in all such cases wherever the meter is found abnormally slow, further investigation should be carried out to find out whether the consumer was indulging in theft of energy by tampering the meter. In this regard, the following procedure should be followed:-

1) The meter under reference should be immediately replaced in presence of consumer / consumer’s representative, after making proper Panchanama and the meter under reference should be sealed in a box in presence of consumer.

2) Such energy meters should be tested in presence of consumer and also in presence of meter manufacturer’s representative, if possible, in our laboratory or any other recognized testing laboratories as may be desired by the consumer.

3) If necessary, the meter should be opened in the presence of consumer to find out whether any artificial means / tampering, were used to make the meter slow and if any such artificial means are found, Panchanama and photograph should be taken.

4) If meter is found tampered by any artificial means, necessary action as prescribed under Section 135 of the Electricity Act, 2003 should be initiated.

5) In case no artificial means / tampering of meter is observed, the consumer should be billed as per regulation No.15.4.1 of MERC Electricity Supply Code Regulations, 2005.

Above instructions should be followed strictly with immediate effect.

[Signature]

Chief Engineer (Commercial)

Copy to:
1. All Chief Engineer, O & M Zone, MSEDCL.
2. All Superintending Engineer, O & M Circle, MSEDCL.
3. All Executive Engineer, O & M Division, MSEDCL.
4. All Dy. Executive Engineer, O & M Sub Division/Flying Squads, MSEDCL.
5. All Assistant Engineer, O & M Sub Division, MSEDCL.
15.3.5 For the purpose of this Regulation 15.3, the estimated bill shall be computed based on the recorded consumption of the last billing cycle for which the meter has been read by the Distribution Licensee.

15.4 Billing in the Event of Defective Meters

15.4.1 Subject to the provisions of Part XII and Part XIV of the Act, in case of a defective meter, the amount of the consumer’s bill shall be adjusted, for a maximum period of three months prior to the month in which the dispute has arisen, in accordance with the results of the test taken subject to furnishing the test report of the meter alongwith the assessed bill:

Provided that, in case of broken or damaged meter seal, the meter shall be tested for defectiveness or tampering. In case of defective meter, the assessment shall be carried out as per clause 15.4.1 above and, in case of tampering as per Section 126 or Section 135 of the Act, depending on the circumstances of each case.

Provided further that, in case the meter has stopped recording, the consumer will be billed for the period for which the meter has stopped recording, up to a maximum period of three months, based on the average metered consumption for twelve months immediately preceding the three months prior to the month in which the billing is contemplated.

15.5 Payment of Bills

15.5.1 The due date for the payment of a bill shall be mentioned on the bill and such due date shall be not less than twenty-one days from the bill date in the case of residential and agricultural consumers, and not less than fifteen days in the case of other consumers.

15.5.2 In case the consumer does not receive the bill or, having received the bill, has lost the bill, he shall, before the receipt of the next bill, report the same to the officer designated by the Distribution Licensee to address such cases.

15.5.3 Where the consumer visits the office of the designated officer in person, the designated officer shall, after verifying the identity of the consumer, communicate to the consumer, on the spot, the amount of the bill and due date for payment, and arrange to issue a duplicate bill within three days from the date on which the consumer reported the non-receipt or loss of bill, as the case may be:

Provided that where the consumer reports the non-receipt or loss of bill over the telephone, the designated officer may also communicate the amount of the bill over the telephone, after completion of suitable identity verification procedure:
Sample Meter Test Report
# TEST REPORT

<table>
<thead>
<tr>
<th>Name of Consumer</th>
<th>Consumer No.</th>
<th>Meter No.</th>
<th>Meter Make</th>
<th>Meter type</th>
<th>Class</th>
<th>Lab Test No.</th>
<th>Current ratings</th>
<th>Voltage ratings</th>
<th>Pulses per unit</th>
<th>Meter Testing date</th>
</tr>
</thead>
</table>

## A) Calibration Errors

<table>
<thead>
<tr>
<th>KWH (as found)</th>
<th>RKVAH (as found)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Id, Upf</td>
<td>Full Load 0 PF</td>
</tr>
<tr>
<td>1/10 Full Id, Upf</td>
<td>1/10 Full Id, 0 PF</td>
</tr>
<tr>
<td>Full Id, 0.866 Pf lag</td>
<td>Full Load, 0.866 PF</td>
</tr>
<tr>
<td>Full Id, 0.5 pf lag</td>
<td></td>
</tr>
</tbody>
</table>

Dial test at _____Amp load 0.866 pf lag

<table>
<thead>
<tr>
<th>KWH consumption recorded by the meter</th>
<th>KVARH consumption recorded by the meter</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>KWH consumption recorded by the standard meter</td>
<td>KVARH consumption recorded by the standard meter</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>% Error KWH</th>
<th>% Error KVARH</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remark – (To include reasons for slowness clearly i.e. “Defective Meter” or due to “Tampering”)

Assistant Engineer,  Ex. Engineer,
Testing Division ____    Testing Division ____

I have personally witnessed the above test.

Consumer /Representative
Intimation of Assessment of Theft units to Billing Authority
To,
Billing Authority/SDO,
MSEDCL,

Sub. – Intimation of Assessed Theft Units. (Consumer No. ____________)
Ref. – DVS no. _________ dt. __________

Please find enclosed herewith Assessment Sheet indicating the Assessed Theft Units in respect of Consumer No. _____________, Billing Unit _________. Electricity Theft under Sec. 135 in respect of the above consumer was detected vide Spot Inspection Report at reference. You are requested to issue theft bill to the consumer with a copy to this office and if he fails to pay the assessed theft amount within stipulated time period his supply be disconnected forthwith.

The date and time of disconnection of supply be intimated to this office by E-mail/ SMS as it is mandatory to lodged FIR against the above consumer in case of disconnection. Recovery details of theft bill be intimated to this office as and when effected.

(____________)
Authorized Officer
MSEDCL,
-------------------
Authority for Lodging FIR in Local Police Stations
प्रिति,
सर्व पितारे पधक व दक्षता विशारद प्रमुखः

विश्वू वायु. २००३ कलम १३५ व १३६ अत्यन्त बोज चारीचे गुण वाचन करत जलद गाताने लपरांत करने खेटलेने निकालले काहड्याची महाराष्ट्र माहिती माहिती आणि सहा महाविश्वास पोलिस डायनांची स्थापना केलेली आहे. हे आयुष्याचे विविध ठिकाण अत्यन्त महागात असल्याचे विचारात ध्येय राज्यातील काही स्थानिक पोलिस डायनात बोजछायांचे गुण वाचन करले ध्येयात नकार देण्यात येत असल्याच्या घटनांचा पारंपरिक ध्येय महाराष्ट्र माहिती परिषोधक क्र. पी.आर.एस.-३१८/६३५/प्र.क्र.२९४/पॉल-३, दिवस १३ जुन. २००८ नुसार याची ध्येय बोज चारीचे गुण वाचले महाविश्वास पोलिस डायनात अभिमित्तिक स्थानिक पोलिस डायनात अंतर्विता ध्येयात. अशा सुचना जारी केलेला आहेत.

सदर परिषोधकाची प्रत पुढील कार्यवाहीसाठी सोबत जोडली असल महाराष्ट्र माहिती माहिती जारी केलेल्या सदर परिषोधकाच्या महाविश्वास केलेल्या स्थानिक पोलिस डायनात बोज चारीचे गुण वाचले आहेत.

सोबत : वरीलप्रमाणे.

--SD---
संचालक (वरील) कोरिटा
म.र.चिवरी.के.मयां..मुंबई.

प्रत मैहितोकरिता सादर :
१. संचालक (संचालन), म.र.चिवरी.के. मयां..मुंबई.

प्रत मैहिती व योग्य त्या कार्यवाहीकरिता:
१. कार्यकारी संचालक (१, २, ३), म.र.चिवरी.के. मयां..मुंबई.
२. सर्व मुख्य अभियंते
३. सर्व अभ्यंतांची अभ्यंता
४. सव कार्यकारी अभियंते / उप कार्यकारी अभियंते / सहायक अभियंते
 संचालन व सुचवक्ष्या - प्रेषण यादीप्रमाणे.
पहा : १) गृह विभाग शासन निर्णय क्रमांक - पीओएच-३६०३। १२/ प्र.क्र. १२/ पॉल-२,
दिनांक ३१ जानवरी, २००६।
२) गृह विभाग आवेदन नं. क्रमांक - टिस्टर्स-३६०६। ११/ प्र.क्र. ५/ पॉल-२,
दिनांक ६ जुलाई, २००६।

परिप्रेक्ष -
महाराष्ट्र राज्यात विद्युत मंडळाच्या वीच चोरीला आढ़ा घालण्यासाठी तर्फेच बीज चोरी प्रकरणाचा तपासणून कलेक्ट केलेले व्यक्तित्व निकाली काहीत. चालनात आत्मरुप असलेली रक्षन वेगळन करून महसूल बाळविण्यासाठी दिव. ३१ जानवरी, २००६ च्या शासन निर्णयांना घेतल्यास त्याच्या कल्याण, पुणे, नाशिक, जालनार, लातूर व नागपूर या सहा डिवीजनी स्थनीत सहा पोलीस डाण्याची निर्माण कर्णाचा आलेला आहे. या पोलीस डाण्यांने तिथीक्रम प्रत्येकी क्रमीत कमी ४ तिस्ताहीत जाण ६ जिल्हांचे विविधता निर्देश करणाचा आलेले आहे. या विस्तारित कार्यवाहणाचा विचार करता बीजवाचारी संबंधातल्या गुणे तत्परतेने त्यांचे पोलीस वाढवण्यास अनेकांना वाचवण्यात होत नसल्याने अथवा आठवड्यांच्या मध्ये पोलीस डाण्यांनी असलेल्या असल्याचा होत नसल्याने अथवा आठवड्यांच्या मध्ये करणार स्थानिक पोलीस डाण्यां नकार देणे असल्याचे महाराष्ट्र राज्य विद्युत वितरण कंपनीही शासनावर निर्देशानावर आकृत दिलेले आहे. या अनुशंसित शासन आदेशात देणे आहे की, याला अशा प्रकारच्या ४६ वेळा धार्मिक पोलीस वाढवण्याचे तत्परतेने देखील नोंदतात त्यांनी तसे मोडणे न त्यांच्या कार्यक्रमात आपल्या कार्यक्रमातल्या सर्व पोलीस वाढवण्याची कल्याणीय यांचे. तर्फेच परिक्रमेत, जिल्हास्तरांत अंदाजेच आपल्याचे ज्ञान. या आदेशाने सुविधा नाहीत तर ६ वेळा करणार यांनाच.

प्रती -
१. पोलीस महाराष्ट्राच, महाराष्ट्र राज्य, मुंबई.
२. सर्व पोलीस आयुक्त.
३. सर्व परिक्रमेत विविध पोलीस महानिर्देशक.
४. सर्व जिल्हा पोलीस अधिकारी.

प्रत माहितीस्वरूप -
प्रधान सचिव, उड्डयन डाली व कामगार विभाग,
व्यवस्थापक संचालक, महाराष्ट्र राज्य विद्युत वितरण कंपनी महावरित्त, नागर. (पूर्व).
Guidelines for Lodging FIR
फिरांद लिहिताना यावबाची दक्षता:

१. फिरांद लिहितान्याकरत चागल्या दर्जची कोरा कागद बापरावा. (आळीह नसावा)

२. फिरांद पादेऊपत लिहिलेली असावी. पुरवणी गाव लागल्यास पहिल्या संपतत्त्या पानाच मण्डळ वाजूने समावे फिरांदीची स्थिती करणे आवश्यक आहे. तसेच पुढील प्रत्येक पुरवणी पावनंबर वरीलप्रमाणे सही करणे आवश्यक आहे.

३. फिरांद २४ तासांत दाखल होय आवश्यक आहे.

४. फिरांद देण्यास विलंब झाल्यास विलंबाची रुपसी व समयांक कारणे फिरांद मध्ये नमूद करवून येते.

५. वीज चारीशी प्रत्येक संबंधित (ग्राहक / वापरतार) विलिनाच खाती करत फिरांदित आपणपी मृणून नमूद करवून व ग्राहक ह्याची नसल्यास फक्त वापरदरास आपणपी विलंबाचे.

६. आपणपीच अंदाजे वय पिरांदीमध्ये असणे आवश्यक आहे.

७. फिरांदित खालील गोष्टींचा उल्लेख असणे आवश्यक आहे.

१. फिरांदीचे संपूर्ण नाव, वय, व्यवसाय व त्यांचे डिस्क्रीप तेथील पद व पता.

२. प्राधिकृत / अधिकृत केलेल्या अधिकाराच्या संपत्त मध्ये तसेच जर प्राधिकृत अधिकारांनी वारीलप्रमाणे लेखी आदेशात यांची असल्याचे वारीलप्रमाणे आदेशाचे संपत्त फिरांद देताना विली गांव.

३. अपराधाच्या डिस्क्रीप, तारीख व बंद चिह्न कलाखाई.

४. आपणपीचे संपूर्ण नाव, वय व पता.

५. आपणपी वीजचारी केलेल्या डिस्क्रीप वर्ग.

६. वीजचारीला युनिट, वीजचारी रक्षक, तड़कोंद रक्षक.

७. वीज चारी कोणत्या पदवीतीने करवून अाली त्यांचे वर्ग.

८. बास्तांवऱ्या पाहिजे गुणाच प्रमाणमंत्र २४ तासांचे आत लागल्यास तत्काळ दिली पाहेलं पूर्णत वीजचारी प्रकरणांमध्ये किंमत तसेच करणे शक्त नसले मृणून मार्फत तत्काळक सहह या आपणपी अनुप्रामाणे किंमत १५२ तासांत वीजचारीसहित गुणाच नोंद होणे आवश्यक आहे. गुणाच उशीरा नोंद होत असलंब्राचत तशी कारणप्रमाणे फिरांदित नमूद असणे आवश्यक आहे.
पंचांग पोलीस स्टेशनना दाखल करण्यास देताना सोबत ध्यायणी कागदपत्रे:

१. पंचनामा
२. अंग्रेजमेंट
३. बीजाचारी देशक
४. डॉ. किस्सा ८ अ. उ. तारी.
५. आरोपिने बीजाचारी केलेल्या उपड झालेमारे त्यामुळे बीजाचारीची बापरलेली केबल त्याचे घरात जात अर्थात साधारण पोटोप्राप्त करावे. त्याची निम्नस्तरी सिध्ध केंद्री कार्यालयी प्रेस संख्या देताना तपासी अंगावर वाचकांदरव वाचविले जावे. ज्या पोटोप्राप्त करून पोटो काढून धारण करते असून आहेत त्यांच्या उर्दू त्याचा दिवसस्थान बोल घेऊन कागदपत्राचे सामील करावे.

पंचनामा करताना ध्यायणी कागद पत्रे:

१. पंचनामा करताना सोयचा व सर्च भाषेत असावा जेणेकरून, पंचनामा साक्षीचे बेळी साक्षी देताना सोगे जावे.
२. पंचनामामुळे खाडाकोठे नसावी.
३. पंचनामा पाउपोट असावे आवश्यक आहे.
४. जात करणारी आलेल्या बसोबासों अंदाजे मृत्यु नमूद करावे.
५. पंचनामा करताना आरोपीचा घराचे वर्णन विस्तृतकरून करावे. आरोपीच्या कोणाचे घर आहे याचावत बसोबास उल्लिखित करावे.
६. सहानुभूती फॅनेट अशा उत्तराणीच्या विवरण मीटर कुळूप लागून बने असते अशांकाची त्याची चाली कोणाकडे असते याचावत पंचनामामुळे उल्लेख करावे.
७. पंचनामामुळे गुरू केल्याची बंपर कागद देत नमूद केलेली असावी

८. पंच हे आरोपीचे नालेडीक अघ हीतरस्थिरीय नसावेत. तसेच पंच हे महाबलिंग एम्प्ली अधिकारी किंवा कर्मचारी याच्याप्रमाणें एक अग्लेच. पंच प्राप्त असावा.
९. पंचनामा संगविल्हून आरोपीची पंचनामामुळे सही पेडण एक प्रत त्यास हावी.
नमस्ते

फियांद

दिनांक -/__/२०---

मी (संपूर्ण नाव, वय व पता), धर्मा - नेकरी. मोबाइल नंबर ---------------

समक्ष पं. मेम्बर श्री राहुल फियांद लिहित देखो की. मी. म.स.वि.के.म.या. 

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ही फियांद लिहित दिली,

सही (नाव, पद व शिक्षकायत)
Comparison between Sec. 126 and Sec. 135 of Electricity Act 2003
## Comparison between Sec. 126 and Sec. 135 of Electricity Act 2003

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Particulars</th>
<th>Section 126</th>
<th>Section 135</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Applicability of provisions of Section</td>
<td>A. <strong>UNAUTHORIZED USE OF ELECTRICITY</strong>, which covers:- a.) Connected/used load is in excess of the sanctioned/authorised load b.) Use of electricity by means not authorized by the supplier/licensee c.) Use of electricity for the purpose / area other than the authorized / sanctioned by the licensee / supplier i.e. change of category etc. d.) Tampered meter e.) Restoration of electric supply to disconnected /defaulting consumers etc. f.) Usage of electric supply from defective /dead stop meter. Example:-1)</td>
<td><strong>Theft of Electricity</strong>, Provision: Whoever dishonestly, a) Taps, makes or causes to be made any connection with overhead, Underground or under water lines or cables, or service wires, or service facilities of a licensee or supplier, as the case may be or b) Tampers a meter installs or uses a tampered meter, c) Damages destroys an electric meter, apparatus, equipment, or wire or causes or allows any of them to be so damaged or destroyed as to interfere with the proper or accurate metering of electricity; or d) Uses electricity through a tampered meter; e) Uses electricity for the purpose other than for which the usage of electricity was authorized. The word dishonest intension is most important before booking a case under section -135 in above circumstances.</td>
</tr>
<tr>
<td>2</td>
<td>Action to be taken</td>
<td>Section 126 is for assessment of the charges for unauthorized use of electricity.</td>
<td>For prosecuting someone u/s 135, a complaint or a report by police to the court is necessary u/s 151</td>
</tr>
<tr>
<td>3</td>
<td>Period of Assessment:</td>
<td>1. If period is ascertain then for the entire period of unauthorised use of electricity . 2. If period is not ascertain then limited to 12 months.</td>
<td>The exact period of theft or Twenty-four months prior to the date of detection or, whichever is less. The assessment shall be made at a rate equal to one and half times the tariff.</td>
</tr>
<tr>
<td>4</td>
<td>Assessment Method</td>
<td>A rate equal to twice the applicable tariff for relevant category of unauthorised use.</td>
<td>The assessment shall be made at a rate equal to one and half times the tariff.</td>
</tr>
<tr>
<td>5</td>
<td>Energy recording</td>
<td>If the consumer is availing more load than sanctioned /contract demand, through i.e. energy is recorded</td>
<td>If the consumer is availing the electricity by bypassing the meter without recording the energy consumption.</td>
</tr>
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<td>Section 135</td>
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<td>--------</td>
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<tr>
<td>6</td>
<td>Ag Consumers</td>
<td>If unmetered /metered consumer is availing more than connected load with energy recording</td>
<td>If consumer is stealing electricity directly by hook/bypassing meter without recording the energy consumption</td>
</tr>
<tr>
<td>7</td>
<td>HT Consumers</td>
<td>Even though the consumer is exceeding contract demand, penalty is provided in tariff, section will not attract with the recording in meter.</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td>Where electricity is being consumed in violation of term &amp; conditions of supply which may lead to malpractice.</td>
<td>Where electricity is being consumed dishonestly with intention of deliberate blockage of energy metering.</td>
</tr>
<tr>
<td>9</td>
<td></td>
<td>Provision to compensate discom for difference /no prosecution.</td>
<td>Collection of charges as well as prosecution of offender.</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td>Licensee need not prove intention</td>
<td>Prima facie dishonest intention shall be there.</td>
</tr>
</tbody>
</table>
| 11     | Examples not covered | 1) Wrong feeding of tariff category by MSEDCL.  
2) Bifurcation of existing category/introduction of new tariff category  
3) Meter seal broken due to aging effect.                                                                                                   |                                                                                                                                                                                                       |